



CITY OF SPRING PARK
PLANNING COMMISSION AGENDA
JUNE 12, 2019 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. APPROVAL OF MINUTES
 - a. Planning Commission Meeting Minutes from May 8, 2019
6. CONSIDERATION/DISCUSSION ITEMS
 - a. Short-Term/Rental Licensing Discussion
7. COMMUNICATIONS
8. MISCELLANEOUS
9. ADJOURNMENT



CITY OF SPRING PARK
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MAY 8, 2019 – 6:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Chair Hoffman at 6:09 p.m.
2. PLEDGE OF ALLEGIANCE – Chair Hoffman led the audience in the Pledge of Allegiance.
3. ROLL CALL

Planning Commissioners Present: Jeff Hoffman, Chair, Max Avalos (arrived 6:07 p.m.); Bruce Homan, Michael Mason, and Pete Kaczanowski

Staff Present: Dan Tolsma, City Administrator; Al Brixius, City Planner; Scott Qualle, Building Official (arrived 6:30 p.m.); David Anderson, Assistant City Attorney; and Theresa Schyma, City Clerk.

4. ADOPT AGENDA

M/Mason, S/Kaczanowski to approve the agenda.

Motion carried 5-0.

5. APPROVAL OF MINUTES

- a. Planning Commission Meeting Minutes from March 13, 2019

M/Avalos, S/Kaczanowski to approve the minutes.

Motion carried 5-0.

6. CONSIDERATION/DISCUSSION ITEMS

- a. Short-Term/Rental Licensing Public Hearing
 - i. Introductory Comments – City Planner Al Brixius

City Planner Brixius presented a summary of the proposed rental housing ordinance for short-term and long-term rental properties in Spring Park as well as the International Property Maintenance Code (IPMC). He stated that feedback is valuable and important to this process.

Josh Clemons, 2486 Black Lake Road and operator of a long-term and short-term rental, asked for clarification on how the IPMC will address older homes.

City Planner Brixius responded that the building code addresses age of structure and the IPMC is for safety features. The IPMC has easily measurable standards for safety and is not meant to be arduous or overbearing.

Mr. Clemons asked City staff where the complaints were coming from.

City Administrator Tolsma responded that a majority of complaints are received from long-term tenants. Staff typically receive approximately 2-4 complaints per month and they are usually from the same handful of properties.

Merv Berkland, renter at Bayview Apartments – 2400 Interlachen Road, asked why the City doesn't just handle the few complaints it gets per month instead of enacting a new rental licensing ordinance.

City Administrator Tolsma responded that the complaints received are for life safety issues and there is currently nothing in the City Code that allows staff to help address those major issues.

ii. Open Public Hearing

Chair Hoffman opened the public hearing at 6:35 p.m.

iii. Receive Public Comments

Josh Clemons, 2486 Black Lake Road and operator of a long-term and short-term rental, thanked City staff and the Planning Commission for their time working on this project. He stated that there is a lot of talk about safety issues but also talk of aging housing stock so he wanted to know if this ordinance is really about changing the population so that newer and bigger houses add to the tax base. He added that he is glad short-term rental properties are being considered in the City but said nuisance issues are hearsay.

Building Official Qualle discussed the differences between the building code and IPMC; the building code is based on when the house was built. The IPMC is not going to make you build a new house or force major upgrades of a house unless there is a major life safety issue.

Mr. Clemons wants clarification on how required parking is going to be determined. He also asked about flexibility with those requirements including if he would be able to rent a parking spot from a neighbor to help meet those requirements.

City Planner Brixius responded that part of the rental licensing process would require submittal of a site plan that would include parking details. He added that if someone is requesting to use a rented parking spot to meet minimum requirements then the landlord would need to provide a copy of the written parking agreement with that neighbor.

Chair Hoffman responded to Mr. Clemons regarding his comments about the City wanting to replace older homes with newer, bigger homes to add to the tax base. He stated that while the City's long-range plan was being discussed during the 2040 Comprehensive Plan process the City's guidelines are to try and keep the City quaint and embrace older homes.

Bud Groth, resident and owner of 4467 & 4469 Lafayette Lane, commended the Planning Commission on the process and reaching out to residents. He added that he is happy the City is moving forward and considering allowing short-term rentals. He stated that it is important for the City to safeguard renters since we live in such a litigious society; if anything happened at a rental property someone would come after the City. He further stated that he has had some nightmare situations with renters but looks forward to working with the City on his rental properties and will abide by the rules.

City Planner Brixius discussed “mother-in-law” apartments and stated family arrangements are excluded from the rental licensing process.

Merv Berkland, renter at Bayview Apartments – 2400 Interlachen Road, stated there are definitely good landlords and bad landlords but the renters will ultimately be the ones to pay if the City creates a rental licensing program. The expenses will be passed on to renters and if rents are raised too much, people will need to move away from the City. He added that he enjoys living in Spring Park but he’s concerned about increases to his rent simply due to licensing fees. He stated he understands the City needs a rental ordinance since there currently isn’t anything in place but instead of charging good landlords, charge more for each offense to make the bad landlords pay for neglecting their properties.

Building Official Qualle stated that situations with one lodger/roommate would be exempt from rental licensing. A roommate is determined to be someone who is sharing all living spaces with the homeowner and there is no separate area for rental.

Anton Reder, owner of 3946 and 3948 Shoreline Drive and short-term rental operator, stated he has considered stopping his short-term rental business because it is extremely hard to operate but stated he would face a tremendous financial hardship if short-term rentals would be banned.

City Planner Brixius stated the potential start of rental licensing would be in 2020.

Mark Kozikowski, owner/landlord of Minnetonka Edgewater Apartments at 4177 Shoreline Drive, stated he is in favor of rental licensing but is curious to how the proposed fees were calculated and discussed the potential for a tiered rental licensing system similar to Minneapolis. A tiered system recognizes responsible landlords and helps manage problem rental properties.

Chair Hoffman responded that the City cannot charge fees that generate income so the fees will be adjusted as needed to make sure the City is simply breaking even.

Rick Gorra, 8201 Stone Creek Drive, Chanhassen, and owner/landlord of Park Island Apartments, stated he is a Tier 1 landlord in Minneapolis but said his tenants have serious concerns about violations of privacy by allowing inspections. He added that he believes the building inspector is allowed too much discretion since he doesn’t believe the IPMC is black and white. He questioned the calculation of fees including charging landlords for re-inspection fees. He stated that the inspectors will always find some issues at older buildings and that if the inspections are going to force major upgrades then the costs associated will eventually be passed on to the renters.

Danny Lemke, 3812 Park Lane, stated that he bought his property because it has a “mother-in-law” cottage so that he could grow his business and make his mortgage payments at the same time. He stated that he makes sure his buildings are safe so he doesn’t understand why the government is

stepping in when it is up to owners to maintain their properties. He added that he is not opposed to standards but asked about the proposed ordinance language that discusses City inspections without a warrant. He does not agree with language that says because he is renting out private property he is basically agreeing to warrantless searches.

City Planner Brixius responded that the intent of the language is for right of access and not a warrantless search. He stated he will revisit that language and present options to the Planning Commission.

Building Official Qualle also responded to Mr. Lemke's comments that all landlords should be focused on safety; he stated that he has inspected many single-family homes where even children are living in extremely unsafe conditions. He added that unfortunately most laws are written because people, even parents, aren't applying basic standards of life, health, and safety. The intent of the ordinance is to focus on basic safety issues to protect lives.

Lindsey Olson, manager of Bayview Apartments at 2400 Interlachen Road, stated she is on board with having standards in place but questions the proposed fees. She stated that if the City is going to enact rental licensing then she would be more in favor of a tiered system like Minneapolis or Golden Valley to help landlords be good partners with the City. She added that her residents are concerned about violations to their privacy when they don't feel that their apartment has any safety issues. She asked if it was possible to only inspect a percentage of units to help create a better partnership. She added that it would help landlords as well because trying to schedule over 100 apartments for inspections would be extremely difficult to manage. She is hoping the ordinance and fees can be refined because landlords would need to pass along those costs to the tenants.

City Planner Brixius responded he would be in favor of a tiered system to reward good landlords for their partnership and a tiered system would potentially reduce fees and save staff time.

CJ Lunning, resident and owner of 4564 & 4568 West Arm Road, asked how long would the entire ordinance process would take.

City Planner Brixius responded that the ordinance will take time but could potentially be adopted by City Council in September. After that staff would need time to put the program in place, schedule inspections, and notify all parties involved but stated a potential start date could be April 2020.

Mr. Clemons stated that he doesn't think rentals in single-family homes should be forced to follow the same standards as corporate condominiums. He believes multi-family buildings should be held to a higher standard.

Chair Hoffman responded that in multi-family buildings the common areas would have different standards than a single-family home but each individual unit should be held to the same standard.

Building Official Qualle added an example stating that the Fire Code standards are different for larger buildings but each individual unit would have the same standards.

David Segal, owner of Bayview Apartments at 2400 Interlachen Road, stated he is required by his insurance to go through annual inspections but even the insurance company doesn't require inspection of every individual apartment.

Ms. Olson added that that some units are inspected but the landlords get to choose the units. The inspections are held to a high standard but might not be as in-depth as an inspection conducted by Building Official Qualle.

Building Official Qualle discussed the appeals process which would be in place in case any concerns arise from the inspections process.

Mr. Berkland stated that all of the licensing fees will eventually be passed on to the renters and wants to make sure the bad landlords in the City pay the majority of the fees since they are causing the majority of the complaints.

Mr. Kozikowski added that a tiered rental licensing program incentivizes everybody to maintain their properties and be in the top tier; it doesn't penalize, it incentivizes. He added that since insurance companies require inspections it would be advantageous to be able to coordinate with the City when scheduling inspections so that renters are not overly inconvenienced.

Ms. Lunning asked if there would be a timeframe to fix any issues discovered during an inspection.

City Planner Brixius stated that landlords will have time to correct any issues identified during the inspection process. He added that major life safety issues would have more urgency than more routine maintenance items.

Sandra Johnson, owner of rental properties at 3950 Sunset Drive, asked if re-inspection fees would be charged if corrections are needed because they don't charge for re-inspection fees at her other property in Wayzata.

Building Official Qualle responded that the level of re-inspection would depend on the issue; some correction items can be fixed with a photograph or a simple correction notice without a needing another inspection. He added that re-inspections would definitely be necessary in regards to any life, health, or safety issues. He further stated that all landlords will receive copies of the ordinance and checklist prior to inspection so they should already have any major issues resolved before their inspection.

Mr. Kozikowski suggested the potential of not charging re-inspection fees during the first year of licensing so that landlords have a year to get used to the licensing and inspection system in Spring Park.

The Planning Commission consensus was to look at language changes and make edits at the June 12 meeting and continue the public hearing to the July 10 meeting for additional public comment on any updates to the draft ordinance.

City Planner Brixius stated he will look at revising several sections of the proposed ordinance and present options to the Planning Commission including language regarding primary residence, warrantless searches, relative exclusions, and clarifying roommate exemption situations; time allowed for corrections to any issues discovered during the inspections process; and the inclusion of a tiered system with new fees and length of license to incentivize landlords and focus on problem properties.

City Administrator Tolsma announced that three written comments were received from residents prior to the public hearing that were forwarded to the Planning Commission. Written comments were received from:

- J Jeff & Sharon Gleason, 3940 Shoreline Drive
- J Sarah Reinhardt, 4490 West Arm Road
- J Richard & Kay McCollum, 4372 West Arm Road

iv. Close or Table Public Hearing

M/Avalos, S/Mason to continue the public hearing to the July 10 Planning Commission Meeting.

Motion carried 5-0.

v. Discussion

vi. Table for Future Discussion or Recommend to Council

7. COMMUNICATIONS – None.

8. MISCELLANEOUS

a. Park Plaque Information Provided by the Westonka Historical Society

Chair Hoffman asked if a plaque company could provide the Planning Commission with a rendering.

City Administrator Tolsma responded yes, if the Planning Commission is in agreement with the text then staff can have a rendering prepared with the options available.

The Planning Commission directed staff to move forward with the proposed text and have renderings of the plaques prepared.

9. ADJOURNMENT

M/Homan, S/Avalos to adjourn the Planning Commission Meeting at 7:50 p.m.

Motion carried 5-0.

Date Approved: June 12, 2019

Dan Tolsma, City Administrator

Theresa Schyma, City Clerk



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PLANNING REPORT

TO: Dan Tolsma
FROM: Al Brixius / Ryan Saltis
DATE: 5/20/19
RE: Rental Housing Ordinance Updates
FILE NO: 175.01 18.18

BACKGROUND

A public hearing was held in Spring Park on May 14, 2019 to discuss rental housing ordinances and how the properties should be regulated in the city. Feedback was given to staff to consider some changes to the ordinances that would make the program more practical in its implementation. These changes were researched by staff and reconsidered in both the rental housing ordinance and the short-term rental housing ordinance and are outlined in the analysis section of this report. We are send this out for staff review and would like to discuss this at next Wednesday's Staff meeting to wrap it up.

Attached for reference:

Exhibit A: Rental Housing Ordinance
Exhibit B: Short-Term Rental Housing Ordinance
Exhibit C: Tiered Rental License Inspection Program

ANALYSIS

Rental Housing Ordinance

The following changes were made to the rental housing ordinance:

Sec. 12-247 (b) Language was added that exempts having up to two (2) roommates in an owner occupied dwelling from having to obtain a rental registration permit.

Sec. 12-252 Registration Permit Duration: The public hearing participants suggested that the city research a tiered approach to rental housing that includes taking elements of a specific property (violations, operation conditions, city services used, etc.) to distinguish quality, well maintained rental properties from problem properties. Through a tiered rating system the housing code may reward the quality properties through longer term permits and less city oversight. We have referenced a tier inspection program in Sections 12-252 of the draft Ordinance.

Exhibit C outlined a proposed Tiered Rental License Inspection Program. This program is modeled after the City of Minneapolis, after researching this approach to dealing with inspections. Each element has a set points value and all elements are added together to determine what tier a property would be associated with. The tier elements are focused primarily on the condition and maintenance of the property itself, with a subset of the elements effecting fire risk and compliance. We should discuss this program criterion at the staff meeting to determine if it is comprehensive enough or if it is too far reaching.

Sec. 12-256 has been changed to eliminate the right of access with a registration permit approval. The section now reference back to Section 12.254. This eliminates any warrantless right of access. Language was added to address a Tiered Rental License Inspection Program.

Short-term Rental Ordinance

The following changes were made to the short-term rental housing ordinance:

Section 12-265 General Requirements and License Issuance delete provision (b).

~~(b) Homestead Status Required. No dwelling unit in the city may be licensed or used as a short-term rental dwelling unit unless the property is a primary residence.~~

Rental Housing Tiered Program:

Exhibit C outlines a proposed housing tiered program for staff review.

RECOMMENDATION

Based on comments from the public hearing, the rental housing ordinances have been modified to better fit the community of Spring Park. Aspects of the ordinance listed above are intended to determine specific regulations for all rental housing units in the city and to manage these properties so that they are safe and well maintained. Staff should review and comment on the Draft ordinances prior to post them on the website. We should discuss this (hopefully final) latest draft at Wednesday's staff meeting.

ARTICLE V. - RENTAL HOUSING

DIVISION 1. - GENERALLY.

Sec. 12-247. - Statement of policy.

(a) The City believes that promoting the public health, safety and welfare of its citizens mandates the existence of a rental dwelling unit registration permit and maintenance program that corrects substandard conditions and maintains a standard for rental dwelling units. It is the purpose of this article to assure that rental housing in the City is decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of rental dwelling units is a business enterprise that entails certain responsibilities. Operators are responsible to take such reasonable steps as are necessary to assure that the citizens of the City who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from crimes and criminal activity, nuisances or annoyances.

(b) This article shall apply to all dwelling units that are leased in whole or in part as a rental dwelling unit for 30 consecutive days or more, including single-family and two-family townhomes or multiple family housing. It also shall apply to accessory structures such as garages and storage buildings and appurtenances such as sidewalks and retaining walls, which are on the property. This article does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, residential group homes licensed by the state, nursing homes, hotels or motels, having up to two roommates in an owner-occupied dwelling, or owner-occupied dwelling units.

Sec. 12-248. - Definitions.

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

Apartment building means, any building or portion thereof that contains three or more dwelling units, sleeping rooms, or a combination thereof but not including condominiums or townhomes.

Building official means the building official for the City, or his/her designee.

City shall mean the city of Spring Park, Minnesota.

City administrator means the city administrator of the City, or his/her designee.

City council means the city council of the City.

Condominium means a single dwelling unit in a multi-dwelling unit building that is separately owned and may be combined with an undivided interest in the common areas and facilities of the

property. Each individual owner may sell or encumber his/her own unit.

Dwelling unit means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

Dwelling, single-family means a building or portion thereof containing one dwelling unit. For purposes of this article, a single-family dwelling includes a free standing single family residence, a single dwelling in a cooperative, an individual condominium or townhouse, a single dwelling unit in a non-residential structure or a dwelling unit offered for rent in a duplex in which the owner occupies the other dwelling unit.

Dwelling, two-family means a building containing two dwelling units.

Efficiency means a dwelling unit containing only one habitable room plus private bathroom facilities within the unit.

Family means one or more persons each related to the other by blood, marriage, adoption, or foster care, or a group of not more than three persons not so related maintaining a common household and using common cooking and kitchen facilities.

Lease means an oral or written, formal or informal, agreement between a dwelling unit owner and a tenant for temporary use of a rental dwelling unit, usually in exchange for payment of rent.

Owner means any person, agent, operator, firm or corporation having a legal or equitable interest in the property or the rental dwelling unit; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property or rental dwelling unit, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, or any person representing the actual owner or holding a valid rental registration permit from the city.

Rent means the consideration paid by a tenant to the owner of a rental dwelling unit for temporary and exclusive use of the rental dwelling unit by the tenant. The consideration is not limited to cash.

Rental dwelling unit means a dwelling unit or sleeping room occupied and leased by one or more tenants.

Rental registration permit means the formal approval of an activity specified on the rental registration certificate issued by the city.

Sleeping room means any room or rooms used or intended to be used by a tenant for sleeping purposes with or without meals and not licensed by the Minnesota Department of Health.

Tenant means any adult person granted temporary use of a rental dwelling unit or sleeping room pursuant to a lease with the owner of the rental dwelling unit.

Townhouse means a single-family dwelling constructed in a group of dwellings attached to each

other and where each dwelling unit extends from the foundation to the roof and is separated from other dwelling units by property lines.

DIVISION 2. REGISTRATION PERMIT.

Sec. 12-249. - Required.

No person shall operate, let or cause to be let a rental dwelling unit which has not been properly registered by the city. A registration permit must be obtained for each residential dwelling unit except, two or more residential dwelling units located within a single building and having a common owner and a common property identification number shall require only a single permit. Upon receipt of the properly executed initial application for a rental registration permit, the applicant shall cause an inspection to be made of the rental dwelling unit(s) by the building official to determine whether the unit(s) is/are in compliance with all code requirements and the laws of the State of Minnesota. If compliance is determined, the City shall issue a registration permit. Every rental dwelling unit shall be re-inspected upon submission of a renewal application, as required by this article, to determine if it still conforms to all applicable codes and laws.

Sec. 12-250. - Application.

A registration permit application shall be submitted to the city administrator on forms furnished by the city and must contain all information contained thereon, including the following:

- (a) Name, address, and telephone number of the owner of the rental dwelling unit(s). This is the address to which the city will send all future correspondence. The applicant shall indicate if the owner is an individual, corporation, partnership or sole proprietorship;
- (b) Name, address, and telephone number of any owner's agent responsible for the management of the rental dwelling unit(s), if applicable;
- (c) Legal address of the rental dwelling unit(s) and, for apartment buildings or condominiums, the unit numbers for each rental dwelling unit; and
- (d) Number and type of rental dwelling units by bedroom count (efficiency, one bedroom, two bedrooms, etc.).

Sec. 12-251. - Changes in Ownership and Amended Permits.

A registration permit is not assignable. Any changes occurring in the ownership of a rental dwelling unit(s) require a new registration permit. The new owner must obtain a new registration permit within 30 days of acquiring the property if continuing to operate a rental dwelling unit thereon. If any changes occur in any information required on the registration application, the owner must submit an amended registration application to the city within 30 days of the change. If any rental dwelling units are added to a current registration permit, the additional rental dwelling units must be registered by amendment of the current registration permit and must be accompanied by the fee required for the additional units.

Sec. 12-252. – Registration Permit Duration.

All rental dwelling units shall be registered before being let, in whole or in part; provided, however, that all rental dwelling units that are leased and occupied by tenants as of the effective date of this ordinance shall be registered no later than _____, 2020. All rental properties shall be inspected and assigned a tier rating based on the property’s physical condition in accordance with the Spring Park Tiered Rental Housing Inspection Program. The duration of the registration permit will be assigned based on tiered rating assigned to the property. Rental Registration Permits will expire at midnight on April 1st of the assigned year. Registration permits must be renewed at least 30 days prior to the expiration of the current permit. Rental dwelling units must be registered as an efficiency, a single-family dwelling, a two-family dwelling, or an apartment building. Any unregistered rental dwelling units are subject to penalties as provided in this article or elsewhere in state or local law.

Sec. 12-253. - Fees.

A registration fee and per-unit inspection fee shall be adopted by the city council and included in the city’s official fee schedule. All required fees must accompany the registration application and shall double when an application renewal is received more than 30 days after it was due.

Sec. 12-254. - Inspection.

Upon receipt of an application for registration, the building official shall coordinate an inspection to ensure compliance with this article. The building official shall provide reasonable notice to the owner or the owner’s agent as to the date and time of the inspection. Each occupant of a rental dwelling unit shall give the owner, or the owner’s agent, access to any part of such rental dwelling unit at reasonable times for the purpose of effecting the inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this article. If any owner, owner’s agent or tenant of a rental dwelling unit fails or refuses to permit entry to the rental dwelling unit under his/her control for an inspection pursuant to this article, the city may obtain an administrative warrant authorizing such inspection. Upon inspection, the proposed rental property shall adhere to the following:

- (a) The Minnesota State Building Code, including mechanical, electrical, plumbing and other building systems, and previously constructed or installed components must be maintained in conformance with the requirements of the codes in effect at the time of construction or installation; and
- (b) All other requirements of other sections of this code, including, but not limited to, zoning, fire, building, and nuisances, and the International Property Maintenance Code; and

In cases where a conflict may occur between any two or more code requirements, the requirements providing the greatest degree of life safety, property maintenance and general welfare to the City shall govern. If re-inspections are necessary to determine compliance, the applicant shall pay a re-inspection fee, as adopted by the city council.

Sec. 12-255. - Issuance of Permit.

The City shall issue a registration permit if the rental dwelling unit(s) and the application are found to be in compliance with the provisions of this article and all required registration and inspection fees are paid. A registration permit will be issued for each residential dwelling unit except, two or more residential dwelling units located within a single building and having a common owner and a common property identification number shall be issued a single registration permit. Rental registrations shall be conspicuously posted in all rental properties sharing a common entrance used by two or more rental dwelling units and the owner or agent for the owner must be able to present the registration permit if asked to do so.

The duration of the rental registration permit will be determined based on Spring Park Tiered Rental Housing Inspection program. Under this program rental housing buildings and units demonstrating quality physical conditions will receive longer term permit and less frequent inspections.

Sec. 12-256. – Inspections and Investigations.

All inspections will be completed by the Fire Chief or his or her designee so as all inspections will be completed in a uniform manner.

- (a) Initial inspections of all registered properties will occur within the first year after adoption of this chapter. Properties will have a scheduled re-inspection on a schedule to be determined by the City Administrator or his or her designee. **All properties shall be inspected by the city based on the City of Spring Park's Tiered Rental License Inspection Program.** The city shall have the right to make periodic inspections of all properties based on complaints of landlords; tenants, neighbors or other individuals. Inspection procedures for minor complaints should be as follows:

- (1) *Tenant complaint procedure.*

- a. Verbal notification;
- b. Notify owner in writing to describe the deficiency;
- c. If owner does not respond and address the problem within a reasonable period, tenant may send a copy of the owner notice to the city to report the deficiency;
- d. City Inspector arranges to inspect the rental unit; and
- e. City Inspector notifies the owner in writing describing the deficiency and recommended corrective action.

(2) *Owner complaint procedure.*

- a. Verbal notification;
- b. Notify tenant in writing to describe the deficiency;
- c. If tenant does not respond and address the problem within a reasonable period, owner may send a copy of the tenant notice to the city to report the deficiency;
- d. City Inspector arranges to inspect the rental unit; and
- e. City Inspector notifies the tenant in writing describing the deficiency and recommended corrective action.

All inspections shall follow Sec. 12-254 of city code and will be re-inspected based on the property's Tier that it is assigned to, in accordance with the City of Spring Park's Tiered Rental License Inspection Program.

Sec. 12-257. – Revoking, Suspending, Denying or Not Renewing a Registration Permit.

- (a) The city council may revoke, suspend, deny or decline to renew any registration permit issued under this article by following the process contained in this section. In buildings containing more than one rental dwelling unit, the revocation, suspension, denial or declination may apply to one or more rental dwelling units at the reasonable discretion of the city council. The basis for such revocation, suspension, denial or non-renewal may include, but shall not be limited to, any of the following circumstances:
- (1) The registration permit was procured by misrepresentation of material facts with regard to the rental dwelling unit or the ownership of the rental dwelling unit.
 - (2) The applicant or one acting in his/her behalf made oral or written misstatements accompanying the application.
 - (3) The applicant has failed to comply with any condition set forth in any other permits granted by the city.
 - (4) The activities of the owner create or have created a danger to the public health, safety or welfare.
 - (5) The rental dwelling unit contains conditions that might injure or endanger the safety, health or welfare of any member of the public.
 - (6) Failure to pay any application fee or reinstatement fee required by this article.

- (7) Failure to correct any code violations in the time period specified in the notice of violation.
 - (8) Following a third instance of disorderly behavior specified in section 12-256.
 - (9) Any violation of this article or any other state or local law related to the rental dwelling unit(s).
 - (10) Failure to continuously comply with any condition required of the applicant for the approval or maintenance of the registration permit.
- (b) Fines. In lieu of or in addition to revoking or suspending a registration permit for violations of this article, the city in its sole discretion may impose a civil fine pursuant to and in accordance with Spring Park City Code, section 1-14.
- (c) Notification. The city shall notify the owner or the owner's agent in writing of the basis for a revocation, suspension, denial or non-renewal and the date upon which the city council will review a recommendation to revoke, suspend, deny, or not renew the registration permit. The notice required by this section shall be mailed to the owner or the owner's agent at least 10 days before the city council hearing. Service shall be deemed sufficient if the notice is sent to the owner or the owner's agent by first class mail at the address provided in the registration application.
- (d) Hearing. The owner or the owner's agent shall be given an opportunity to be heard during the city council hearing. The city council shall hear all relevant evidence and arguments and shall review all statements, documents, and other evidence submitted.
- (e) Decision. The city council shall make findings based on the evidence presented and shall make a decision on the recommendation to revoke, suspend, deny, or not renew a registration permit based on the findings. The city council shall issue a written decision within 30 days following the date of the hearing and shall notify the owner of the decision by first class mail. The decision shall specify the rental dwelling unit or units to which it applies. Thereafter, and until a registration permit is reissued or reinstated, no rental dwelling units that have had their rental registration permit revoked, suspended, denied, or non-renewed may be let or occupied by tenants. Revocation, suspension, denial, or non-renewal of a registration permit shall not excuse the owner from compliance with all terms of this article for as long as any rental dwelling units in the building are occupied.
- (f) Permit Process after Revocation, Suspension, Denial or Renewal Declination. After the city council revokes, suspends, denies or declines to renew a registration permit, no registration permit will be issued for the affected rental dwelling unit(s) until the city determines that the applicant/owner has remedied the conditions identified by the city council as the basis for its action. An application to obtain a registration permit for a rental dwelling unit after the city council has revoked, suspended, denied or declined to renew a registration permit for the same rental dwelling unit(s)

must be accompanied by all fees required by this article.

Sec. 12-258. – Effect of Revocation, Suspension, Denial or Non-Renewal.

If a registration permit is revoked, suspended, denied or not renewed by the city council, it shall be unlawful for the owner or the owner's agent to thereafter permit the occupancy of the then vacant or, thereafter vacated, rental dwelling unit(s), until such time as a valid rental registration permit is obtained for the rental dwelling unit(s). Issuance of a new registration permit after revocation, suspension, denial or non-renewal shall be made in the manner provided for in this article.

Sec. 12-259. - Posted to Prevent Occupancy.

Whenever any rental dwelling unit has been denied an initial registration permit, had its registration permit revoked, suspended, denied or not renewed, it may be posted by the building official to prevent further occupancy. No person other than the building official shall remove or alter any posting. The building official may post the date the rental dwelling unit shall be vacated, and no person other than the owner shall reside in, occupy or cause to be occupied that rental dwelling unit.

Sec. 12-260. – Penalties.

A person who violates the provisions of this article may be charged with a misdemeanor. Each day that a violation continues shall be deemed a separate offense. The building official may post the rental dwelling unit by appropriate signs or notices prohibiting occupancy and may act to cause the rental dwelling unit to be vacated or remain vacant until the code violations are corrected.

Sec. 12-261. – No Warranty by City.

By enacting and undertaking to enforce this code, the city, city council, its agents, and/or employees do not warrant or guaranty the safety, fitness or suitability of any dwelling in the city. Owners and tenants should take whatever steps they deem appropriate to protect their interests, health, safety and welfare.

ARTICLE VI. – SHORT-TERM RENTAL HOUSING

DIVISION 1: GENERALLY

Sec. 12-262. – Statement of Policy.

- (a) The City believes that promoting the public health, safety and welfare of its citizens mandates the existence of a limited short-term rental licensing and maintenance program that corrects substandard conditions and maintains a standard for short-term rental housing. It is the purpose of this article to only allow short-term rental housing in certain circumstances to ensure that it remains decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of short-term rental housing is a business enterprise that entails certain responsibilities. Operators are responsible to take such reasonable steps as are necessary to assure that the citizens of the City who occupy such housing may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from crimes and criminal activity, nuisances or annoyances.
- (b) This article shall apply to all short-term rental dwelling units, as defined herein. It also includes accessory structures such as garages and storage buildings and appurtenances such as sidewalks and retaining walls, which are on the same property as the short-term rental dwelling unit. This article does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, residential group homes licensed by the State, nursing homes, hotels or motels, or accessory apartments utilized by one blood relative or one on-site employee or servant.

Sec. 12-263. – Definitions.

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

Bedroom means a habitable room within a primary residence which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen or dining room.

Building official means the building official for the City, or his/her designee.

City shall mean the city of Spring Park, Minnesota.

City administrator means the city administrator of the City, or his/her designee.

City council means the city council of the City.

Dwelling unit means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

Owner means any person, agent, operator, firm or corporation having a legal or equitable interest in the property or the rental dwelling unit; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property or short-term rental dwelling unit, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, or any person representing the actual owner or holding a valid license issued under this article.

Primary residence means a dwelling unit with a homestead classification, as defined by Minnesota Statutes, section 273.124, and as determined by the Hennepin County Assessor.

Rent means the temporary occupancy, use, or possession of a dwelling or dwelling unit in exchange for compensation, in money or other consideration, given or offered in exchange for such use, whether or not received.

Short-term rental dwelling unit means a dwelling unit rented for a period of less than 30 consecutive days, for tourist or transient use.

DIVISION 2: LICENSING

Sec. 12-264. – General Requirements and License Issuance.

- (a) License Required. No person may operate a short-term rental dwelling unit in the city unless granted a license pursuant to this article.
- (b) License Application. Any owner desiring to offer or use a short-term rental dwelling unit within a primary residence in the city must first apply for and obtain a license from the city. A license must be approved prior to operating. The license application request must be submitted on the form prescribed by the city and must include all the information requested on the application form.
- (c) Fees. The license application form must be accompanied by payment in full of the required license application fee and inspection fee. The fee amounts will be as determined by the city council and listed in the city's fee schedule. Fees for new licenses obtained for less than the three-year license term will be determined on a monthly pro-rated basis until the next full three-year term.
- (d) Issuance. All licenses shall be issued administratively by the city administrator pursuant to the terms contained herein.
- (e) Criteria for Issuance. Prior to issuance of a license hereunder, the following criteria must be met:

- (1) The licensee certifies on the application form that all applicable requirements found in this article are satisfied. Such items shall include, but not be limited to, the following:
 - a. Operating a short-term rental dwelling unit is a permitted use in the zoning district of the subject property;
 - b. The property complies with all of the performance standards found in this article; and
 - c. Compliance with all other provisions of state and local law.
- (2) Prior to operating a short-term rental dwelling unit, the owner shall provide documentation that they have obtained a Hennepin County lodging license and State of Minnesota vacation home rental license.
- (3) Upon receipt of a license application, the building official shall schedule an inspection with the owner to ensure compliance with this article. The building official shall provide reasonable notice to the owner as to the date and time of the inspection. The failure or refusal by the owner to permit entry to the property shall be grounds for denial of a license. Upon inspection, the proposed short-term rental dwelling unit shall adhere to the following:
 - a. The Minnesota State Building Code, including mechanical, electrical, plumbing and other building systems, and previously constructed or installed components must be maintained in conformance with the requirements of the codes in effect at the time of construction or installation; and
 - b. All other requirements of other sections of this code, including, but not limited to, zoning, fire, building, and nuisances, and the International Property Maintenance Code; and

In cases where a conflict may occur between any two or more code requirements, the requirements providing the greatest degree of life safety, property maintenance and general welfare to the City shall govern. If re-inspections are necessary to determine compliance, the applicant shall pay a re-inspection fee, as adopted by the city council.

- (f) Term. Licenses will expire at midnight on the third April 1st following its issuance, and applications for renewal must be submitted at least 30 days prior to the expiration of the current license. Any unlicensed short-term rental housing is subject to penalties as provided in this article or elsewhere in state or local law.

- (g) No Vested Right. Licenses granted hereunder constitute a revocable, limited right. Nothing herein shall be construed as granting a vested property right.

Sec. 12-265. – General Performance Standards.

The following shall be the general standards for all short-term rental dwelling units within the city.

- (a) No Physical Alterations. No physical alterations of a primary residence shall be permitted in conjunction with the operation of a short-term rental dwelling unit, except that additional onsite parking may be provided, to the extent that such parking is otherwise permitted by the applicable provisions of the city code.
- (b) Non-Transferable. Licenses issued under this section are non-transferable. Each license shall automatically terminate upon the sale or other conveyance of the property to an unlicensed person or entity.
- (c) Number of Bedrooms. Each license shall indicate the number of bedrooms which are contained in the primary residence. No licensee shall advertise the primary residence as containing any more than the identified number of bedrooms.
- (d) Limit on the Number of Guests. The maximum number of transient guests permitted to stay within a short-term rental dwelling unit at any one time shall be the sum of the number of bedrooms contained in the primary residence multiplied by two, up to a maximum of 10. Such sum shall include both adults and children.
- (e) Signage. No commercial signage is allowed on the property of any short-term rental dwelling unit.
- (f) Events. Events are not allowed to be hosted by transient guests on the licensed property. For purposes of this prohibition, an event shall mean a gathering on the property of the total number of people permitted to stay on the premises plus five. Events hosted by the owner are exempt from this prohibition, but must otherwise abide by state and local law and policies.
- (g) Parking. A property with a short-term rental dwelling unit shall provide a minimum of two (2) off-street parking stalls for guests. The maximum amount of vehicles allowed at the property shall be limited to the number of off-street parking spaces provided. To be valid, off-street parking shall meet any applicable requirements set forth in the city code.
- (h) Occupant Eligibility. The primary overnight and daytime occupant of a short-term rental dwelling unit must be an adult 18 years of age or older. This adult must provide a telephone number to the owner and shall be accessible to the owner by telephone at all times.

- (i) Advertising. All advertising for short-term rental dwelling units within the city shall include the city-issued license number.
- (j) House Number Visible. Property containing a short-term dwelling unit must have a visible house number that can be easily seen from the street at all times.
- (k) Disorderly Behavior. Disorderly behavior, as defined in Spring Park City Code, section 12-266(b), shall be prohibited.
 - (1) First Incident. Upon a determination by city staff or law enforcement that a property containing a short-term rental dwelling unit was the location of disorderly behavior, the city shall notify the owner by first class mail of the violation and direct the owner to take steps to prevent further violations.
 - (2) Second Incident. Upon a determination by city staff or law enforcement that a second incident of disorderly behavior occurs at a property containing a short-term rental dwelling unit within three months of a previous disorderly behavior incident at the same property, the city shall notify the owner by first class mail of the violation and direct the owner to submit, within 10 days of the date of the notice, a written report of all actions taken by the owner since the first violation notice and actions the owner intends to take to prevent further disorderly behavior.
 - (3) Third Incident. Upon a determination by city staff or law enforcement that a third incident of disorderly behavior occurs at a property containing a short-term rental dwelling unit within three months after a second disorderly behavior incident at the same property, the license issued under this article may be revoked by the city council upon the recommendation of the city administrator and in accordance with section 12-267(a).

For purposes of this section, a determination that a short-term rental dwelling unit has been the location of a disorderly behavior incident shall be made by a preponderance of the evidence. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly behavior, nor shall the fact or dismissal or acquittal of such a criminal charge operate as a bar to adverse registration license action under this article.

Sec. 12-266. - Disorderly Behavior at Registered Rental Dwelling Units.

- (a) It shall be the owner's responsibility to assure that the tenants, the tenants' family members and the guests of any tenant or tenant's family member not engage in disorderly behavior in the rental dwelling unit. For the purposes of this section, rental dwelling unit shall include all common areas, both inside the building where the rental dwelling unit is located and outside.
- (b) For the purposes of this section, disorderly behavior may include but is not limited to

any of the following:

- (1) Drug-related illegal activity occurring in or near the rental dwelling unit. Drug-related illegal activity means the illegal possession or constructive possession, manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell or distribute a controlled substance, as defined in the Controlled Substance Act (21 U.S.C. § 802), or possession of drug paraphernalia per Minnesota Statutes, section 152.092.
- (2) Any act of violence or threat of violence including, but not limited to, the discharge of firearms, prostitution, intimidation or any other act that otherwise jeopardizes the health, safety or welfare of the owner, agent, manager, other tenants, tenant's family members, guests or neighboring property owners.
- (3) A violation of Minnesota Statutes, sections 609.75 through § 609.76, which prohibit gambling.
- (4) A violation of Minnesota Statutes, sections 609.321 through § 609.324, which prohibit prostitution.
- (5) A violation of Minnesota Statutes, section 340A.401, which prohibits the unlawful sale of alcoholic beverages.
- (6) A violation of Minnesota Statutes, section 340A.503, which prohibits the underage use of alcoholic beverages.
- (7) A violation of Minnesota Statutes, section 609.74 or Spring Park City Code, chapter 18, articles III and IV, which prohibit nuisances and noise violations.
- (8) A violation of Minnesota Statutes, sections 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, which prohibit the unlawful possession, transportation, sale or use of a weapon.
- (9) A violation of Minnesota Statutes, section 609.72, which prohibits disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation.
- (10) A violation of Minnesota Statutes, sections 609.185 through 609.205, which prohibit murder and manslaughter.
- (11) A violation of Minnesota Statutes, sections 609.221 through 609.2231, which prohibit assault.

- (12) A violation of Minnesota Statutes, sections 609.342 through 609.3451, which prohibit criminal sexual conduct.
- (13) A violation of Minnesota Statutes, section 609.52, which prohibits theft.
- (14) A violation of Minnesota Statutes, section 609.561 through 609.5632, which prohibit arson.
- (15) A violation of Minnesota Statutes, section 609.582, which prohibits burglary.
- (16) A violation of Minnesota Statutes, section 609.595, which prohibits damage to property.
- (17) A violation of Minnesota Statutes, section 609.33, relating to owning, leasing, operating, managing, maintaining or conducting a disorderly house or inviting or attempting to invite others to visit or remain in a disorderly house.
- (18) A violation of Minnesota Statutes, section 609.50, which prohibits obstructing the legal process.
- (19) A violation of Minnesota Statutes, section 609.713, which prohibits terroristic threats.
- (20) A violation of Minnesota Statutes, section 609.715, which prohibits presence of unlawful assembly.
- (21) A violation of Minnesota Statutes, section 609.71, which prohibits riot.
- (22) A violation of Minnesota Statutes, section 609.78, which prohibits interfering with "911" phone calls.
- (23) A violation of Minnesota Statutes, section 243.166 (predatory offender registration).
- (24) A violation of Minnesota Statutes, section 609.229, which prohibits gang-related crimes.
- (25) A violation of Minnesota Statutes, section 609.26, subdivision 1(8), which prohibits contributing to a child being runaway.
- (26) A violation of Minnesota Statutes, section 609.903, which prohibits racketeering.

- (27) A violation of Minnesota Statutes, section 609.53, which prohibits possessing stolen property.
 - (28) A violation of Minnesota Statutes, section 609.749, which prohibits violating a restraining order or order for protection.
 - (29) A violation of Minnesota Statutes, sections 609.255 and 609.25, which prohibit false imprisonment and kidnapping.
- (c) Incidents will not be counted for purposes of determining whether a registration permit will be denied, suspended, non-renewed or revoked where the victim and suspect are “Family or household members” as defined in the Domestic Abuse Act, Minnesota Statutes, section 518B.01, subd. 2(b) and where there is a report of “Domestic Abuse” as defined in the Domestic Abuse Act, Minnesota Statutes, section 518B.01, subd. 2(a).
- (d) Incidents will not be counted for purposes of determining whether a registration permit will be denied, suspended, non-renewed or revoked where the call is a result of a tenant, a member of a tenant’s household, or guest taking action to seek emergency assistance that is protected by Minnesota State Statute 504B.205.
- (e) Instances of Disorderly Behavior.
- (1) First Incident. Upon a determination by city staff or law enforcement that a rental dwelling unit was the location of disorderly behavior, the city shall notify the owner and tenant of the violation by first class mail and direct the owner to take steps to prevent further violations.
 - (2) Second Incident. Upon a determination by city staff or law enforcement that a second incident of disorderly behavior occurs at a rental dwelling unit within three months of a first disorderly behavior incident, the city shall notify the owner and the tenant by first class mail of the violation and direct the owner to submit, within 10 days of the date of the notice, a written report of all actions taken by the owner since the first violation notice and what actions the owner intends to take to prevent further disorderly behavior.
 - (3) Third Incident. Upon a determination by City staff or law enforcement that a third incident of disorderly behavior occurs at a rental dwelling unit within three months after a second disorderly behavior incident, the rental dwelling unit registration permit may be revoked, suspended or not renewed by the city council upon the recommendation of the city administrator and in accordance with section 12-257. The city administrator shall make its decision to recommend revocation, suspension or non-renewal of the registration permit and submit said recommendation to the city council

within 30 days of the third incident.

- (4) For purposes of this section, second and third instances of disorderly behavior shall be those which:
- a. Occur at the same rental dwelling unit;
 - b. Involve tenants at the same rental dwelling unit;
 - c. Involve guests or invitees at the same rental dwelling unit;
 - d. Involve guests or invitees of the same tenant; or
 - e. Involve the same tenant.
- (f) No adverse registration permit action shall be imposed where the instance of disorderly behavior occurred during pending eviction proceedings against the tenant(s) that were the subject of the incidents (unlawful detainer), or within 30 days of notice to vacate given by the owner to the tenant(s) that were the subject of the incidents. However, adverse registration permit action may proceed when the owner fails to diligently pursue the eviction process. Further, an action to deny, revoke, suspend or not renew a registration permit based upon violations of this section may be postponed or discontinued at any time, at the discretion of the city, if the owner has taken appropriate measures which will prevent further instances of disorderly behavior which may include a failed eviction process.
- (g) For purposes of this section, a determination that the rental dwelling unit has been the location of a disorderly behavior incident shall be made by a preponderance of the evidence. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly behavior, nor shall the fact or dismissal or acquittal of such a criminal charge operate as a bar to adverse registration permit action under this article.
- (h) Enforcement actions provided throughout this article shall not be exclusive, and the city may take any action with respect to an owner, a tenant or the registered rental dwelling unit(s) as is authorized by this article or any other provision contained in state or local law.

Sec. 12-267. – Enforcement and License Revocation.

- (a) Enforcement and License Revocation. Upon a finding that a licensee has violated the terms of this article, or any other applicable ordinance, law, or regulation, on two occasions within the license period, or upon the occurrence of a third incident of disorderly behavior under section 12-265, the city may revoke the license. Prior to such

revocation, the city administrator shall mail written notice of the applicable violations to the licensee and thereafter, the licensee shall have ten days to request a hearing, in writing, regarding such revocation before the city council. Failure to request such a hearing, in writing, shall constitute waiver of the right to be heard on such revocation.

- (b) Effect of Revocation. Upon revocation of a license under this section, such licensee shall be ineligible for applying for a new license for a period of 12 months from the date of revocation.
- (c) Violation a Misdemeanor. Any violation of any term of this article shall also constitute a misdemeanor. Each day that a violation continues shall constitute a separate violation.
- (d) Fines. In addition to any other remedy contained herein or authorized by law, the city may impose administrative fines for violations of this article in accordance with Spring Park City Code, section 1-14.
- (e) Remedies Not Exclusive. In the event of a violation of this article, the city, in addition to any and all other remedies provided by law, shall be entitled to seek injunctive relief or proceedings to prevent, restrain, correct, or abate such violations or threatened violations.

Exhibit C: Tiered Rental License Inspection Program



Rental Licensing Tier Elements

Element	Description	1-3 Unit Rental Buildings		4+ Unit Rental Buildings, Condominiums, and Mixed-Use Buildings	
		Count	Points	Count	Points
Inspections	The number of inspections conducted by Regulatory Services at a given property	1-3	0	1-3	0
		4-6	10	4-6	10
		7-9	20	7-9	20
		10+	30	10+	30
Violations	The number of housing or fire code violations issued by Regulatory Services, with violations identified as high risk being assessed five points each	1-5	5	1-5	5
		6-15	10	6-15	10
		16-30	20	16-30	20
		31+	30	31+	30
Letter of Intent to Condemn for Lack of Maintenance	The number of letters issued with the intent to condemn a building for the lack of maintenance	1	15	1	15
		2+	30	2+	30
Rental License Operation Conditions	The rental property owner has met with the City to agree upon certain conditions or restrictions for a given rental property	1	10	1	10
		2+	20	2+	20
License Revocation Action	Revocation action has been taken against the property for the violation of rental licensing standards	1	65	1	35
Solid Waste Dirty Collection Point Warning Letters	The number of Solid Waste warning letters issued to a property for a dirty collection point	2-3	5	2-3	5
		4-5	10	4-5	10
		6+	15	6+	15
Solid Waste Dirty Collection Point Clean-Ups	The number of collection point clean-ups undertaken at a property by Solid Waste	1-2	10	1-2	10
		3-6	15	3-6	15
		7-9	20	7-9	20
		10+	30	10+	30
Public Works Snow and Ice Removal Letters	The number of Public Works warning letters issued to a property for snow and ice removal	2-3	5	2-3	5
		4-5	10	4-5	10
		6+	15	6+	15
Public Works Public Walk Snow and Ice Removal Clean-Ups	The number of snow and ice clean-ups undertaken at a property by Public Works	1-2	10	1-2	10
		3-6	15	3-6	15
		7-9	20	7-9	20
		10+	30	10+	30
Delinquent Rental License Fee	The rental license fee has not been received by the due date	1	5	1	15
		2	31	2	21
Administrative Citations	Fines issued at a given property	1-2	5	1-2	5
		3+	10	3+	10

Element	Description	1-3 Unit Rental Buildings		4+ Unit Rental Buildings, Condominiums, and Mixed-Use Buildings	
		Count	Points	Count	Points
Special Assessments	All outstanding fines or fees issued to a given property	2-4	10	2-4	10
		5-7	20	5-7	20
		8+	30	8+	30
Conduct on Premises	A provision in the Rental Licensing Ordinance that allows the City to address qualifying incidents of disorderly conduct of tenants and their guests that adversely impacts neighbors	1	15	1	15
		2+	20	2+	20
Building Age	The age in which the building was constructed			1990 or later	1
				1966-1989	2
				1931-1965	3
				1915-1930	4
				1914 or earlier	5
Fire Alarm and Suppression Systems	A permit for the building's fire alarm or suppression system has been approved or its existence has been verified			Has not been approved or verified	5
		1-3 Unit Rental Buildings		4+ Unit Rental Buildings, Condominiums, and Mixed-Use Buildings	
		Tier	Score	Tier	Score
		3	65+	3	35+
		2	31-64	2	21-34
		1	0-30	1	0-20

Rental License Tiering

The majority of residential rental properties in Spring Park provide safe and sanitary housing. Rental properties that are not regularly maintained, use excessive City services, and are at a higher risk for fire damage; create safety and livability issues for residents and neighbors. A tiered rental license inspection program allows the city to prioritize inspections required to maintain safe housing conditions. This Program also rewards safe and well maintained properties by extending the duration of their rental registration permits and requiring fewer inspections.

-) **Tier 1**, Five year inspection cycle: Uses very few city services, no city code enforcement, well maintained, well managed, and meets minimum housing code. (Inspection Score of 0-30 points)
-) **Tier 2**, Four year inspection cycle: Use some city services, few complaints and /or code enforcement issues. Requires some improvements or maintenance to meet minimum housing code standards. (Inspection Score 31-64)
-) **Tier 3**, Three year cycle: Require city services, history of complaints and code enforcement issues, poorly maintained or managed requires improvements to meet minimum housing code standards, physical condition of the property may present health or safety issues. (Inspection score of 65+)

Tiering Process

-) Twenty-four (24) months of data are analyzed to determine a property's tier
-) A set of fifteen elements are used to determine the tier score
-) The tiering elements are equally applied to the city's rental licenses
-) Element points are totaled to determine the property's tier.

Determining a property's tier

-) **Inspections:** The number of inspections conducted by the city at a given property
-) **Violations:** The number of housing or fire code violations issued by the city
-) **Letter of Intent to Condemn for Lack of Maintenance:** The number of letters issued with the intent to condemn a building for the lack of maintenance
-) **Rental License Operation Conditions:** The rental property owner has met with the city to agree upon certain conditions or restrictions for a given rental property.
-) **License Revocation Action:** Revocation action has been taken against the property for the violation of rental licensing standards
-) **Solid Waste Dirty Collection Point Warning Letters:** The number of solid waste warning letters issued to a property for a dirty collection point
-) **Solid Waste Dirty Collection Point Clean-Ups:** The number of collection point clean-ups undertaken at a property by Public Works
-) **Public Works Snow and Ice Removal Letters:** The number of Public Works warning letters issued to a property for snow and ice removal
-) **Public Works Public Walk Snow and Ice Removal Clean-Ups:** The number of snow and ice clean-ups undertaken at a property by Public Works
-) **Delinquent Rental License Fee:** The rental license fee has not been received by the due date
-) **Administrative Citations:** Fines issued at a given property
-) **Special Assessments:** All outstanding fines or fees issued to a given property
-) **Conduct on Premises:** A provision in the Rental Licensing Ordinance that allows the city to address qualifying incidents of disorderly conduct of tenants and their guests that adversely impacts neighbors
-) **Building Age:** The age in which the building was constructed
-) **Fire Alarm & Suppression System:** A permit for the building's fire alarm or suppression system has been approved or its existence has been verified