

CITY OF NORTH OAKS ORDINANCE 137

**AN ORDINANCE AMENDING PORTIONS OF TITLE XI, CHAPTER 114
PERTAINING TO LICENSING REGULATIONS FOR RESIDENTIAL RENTAL
PROPERTIES**

The City Council of the City of North Oaks ordains as follows:

Section 1. Section 114.10 of the North Oaks Code of Ordinances is amended to read as follows:

§ 114.10. PURPOSE.

The purpose and intent of this Ordinance is to regulate residential rental properties in the City to ensure that such properties are operated and maintained in accordance with the City's **ordinances and** regulations and to ensure that rented homes are maintained as single family residences. The implementation of a rental-licensing program is a mechanism to ensure that rental housing will not become a nuisance to the neighborhood; will not foster blight and deterioration; and/or will not create a disincentive to reinvestment in the community.

The operation of rental housing entails certain responsibilities. Owners of rental housing are responsible to take the reasonable necessary steps to ensure that the citizens who occupy rental housing units may pursue the quiet enjoyment in the surrounding area that is safe, secure, private and sanitary; and free from crimes and criminal activity, noise, nuisances or annoyances; free from unreasonable fears about safety of persons and security of property.

Sec. 2. Section 114.20, Paragraphs 4 and 12 of the North Oaks Code of Ordinances are amended to read as follows:

4. "City" means the ~~city~~ **City** of North Oaks located in Minnesota.

12. "Rental Dwelling License" means a license issued by the City in accordance with this Ordinance that allows occupancy of a Rental Dwelling by an Occupant other than the Owner and permits the Owner to charge, accept or retain compensation for any Rental Dwelling ~~Unit~~ in the City.

Sec 3. Section 114.40, Paragraph A of the North Oaks Code of Ordinances is amended to read as follows:

A. The provisions of this Ordinance must apply to all Rental Dwellings, including rented single family Dwellings, Multi-**Family** Dwelling Units within Dwellings, as well as to rented condominiums, rented townhouses and lease hold cooperative Dwelling Units, as those terms are defined in Minn. Statute Section 273.124, Subd. 6, Minnesota Statutes, Chapter 515A, Minnesota law and the City's municipal code.

Sec. 4. Section 114.60, Paragraph 10 of the North Oaks Code of Ordinances is amended to read as follows:

10. Where applicable, a letter from the **North Oaks Homeowners' Association or** Sub-Association of the North Oaks Homeowners' Association of an area in which the Rental Dwelling is located stating that rental of the Rental Dwelling is **allowed not prohibited** under the **Association's or** Sub-Association's current rules or covenants.

Sec. 5. Section 114.80, Paragraphs B and K of the North Oaks Code of Ordinances are amended to read as follows:

B. Property Conformance to **Applicable Ordinances, Laws and Regulations**. The Owner and Occupants of a Rental Dwelling, and any person or contractors in their employ, must comply with all applicable City, county, state or federal ordinances, regulations and laws which are applicable to the premises and to renting a Dwelling.

K. Conduct on **Rental Dwelling** License Premises. Tenant leases for all licensed Rental Dwellings must contain language applicable to Occupants that prohibits the Occupants from engaging in disorderly conduct. For purposes of this Ordinance, an Occupant will be considered disorderly if the Occupant violates:

1. Section 151.032 and Minnesota Administrative Rules Chapter 7030 relating to noise.
2. Minnesota Statute 152.01 et seq. relating to the possession of controlled substances.
3. Minnesota Statutes 609.72 relating to disorderly conduct.
4. Minnesota Statutes 340A.701, 340A.702 and 340A.703 relating to the sale of intoxicating liquor.
5. Minnesota Statutes 609.321, Subdivision 9, relating to prostitution or acts of prostitution.

6. Minnesota Statutes 609.66 et seq. relating to the unlawful use or possession of firearms.
7. Minnesota Statute 609.2242 relating to assault.
8. Minnesota Statute 260C, et seq. relating to contributing to the need for protection or services or delinquency of a minor.
9. Minnesota Statute 609.75 through 609.76 relating to gambling.

Adopted by the City Council of the City of North Oaks this 10th day of November, 2021.

Ayes: 5 Nays: 0

By: Kara Ries

Kara Ries

Its: Mayor

Attested:

By: Kevin Kress

Kevin Kress

Its: City Administrator