RENTAL DWELLING LICENSE APPLICATION

____ For the license term January 1, 2015 – December 31, 2017

____ For the license term July 1, 2015 – December 31, 2017

City of Maple Grove

Attn: Rental Housing Assistant
12800 Arbor Lakes Pkwy, PO Box 1180
Maple Grove MN 55311
763-494-6048 763-494-6425(fax)

FOR OFFICE USE ONLY

Date Received: _____Initial: _____
New License Application Fee:
___ $225 (Jan-Dec) ___ $187.50 (Jul-Dec)
Conversion Inspection Fee: ___$100
Payment Method: ___Check ___Credit Card
Inspection Scheduled: _____
Received: ___Application
___Certificate of Compliance
___Payment Auth. Form
Date Processed: _____Initial: _____
License # _____

RENTAL PROPERTY INFORMATION

Rental Property Address:_____

Type of Dwelling: ___Single Family Detached ___Double/Townhouse/Condo/Single Family Attached

Number of Bedrooms: _____ Year Built: _____ ___Property Owner Occupied

___New Rental ___Existing Rental, new owner ___Have other rental properties in City of Maple Grove

PROPERTY OWNER INFORMATION

Type of Ownership: ___Individual ___Partnership ___Corporation ___Contract for Deed

Business Name (if applicable):_____

Property Owner's Name(s):_____

Property Owner's Address:_____
(Street Address)

_____
(City) (State) (Zip Code)

_____
Phone Number(s) (Home) (Cell) (Work)

_____
Email Address(es)

RENTAL DWELLING AGENT

If owner does not live in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Sherburne, Washington or Wright County, a dwelling agent, who resides within these counties, shall be designated by the owner to be legally responsible for compliance with Maple Grove rental ordinances. (Sec. 10-346)

MANAGEMENT COMPANY:_____**AGENT:**_____

_____
(Street Address) (City) (State) (Zip Code)

_____
(Company Phone #) (Agent Phone #) (Email Address)

TENANT INQUIRIES & COMPLAINTS TO BE PROCESSED THROUGH: ___Owner OR ___Agent
CITY MAILINGS TO GO TO: ___Owner OR ___Agent

~OVER~

IMPORTANT INFORMATION

- **GOVERNMENT DATA PRACTICES ACT – TENNESSEN WARNING:** The data you supply on this form will be used to process the license you are applying for. You are not legally required to provide this data, but we will not be able to process the license without it. The data will constitute a public record if and when the license is granted and as such will be available to the general public upon written request. *(MN Law M.S.13.41)*
- Every Licensee shall promptly notify the Rental Housing Assistant (763-494-6048) of any changes in the names, addresses and other information concerning the person(s) listed on the application within 72 hours of change. This license is not transferable to another person or to another rental dwelling unit. *(Sec. 10-344)*
- In the act of filing this application with the City of Maple Grove, the owner or agent of the rental dwelling unit(s) agrees to permit inspections. The minimum standard to be used for inspections can be found in Chapter 8, Article V, Property Maintenance Code.
- All tenant leases must contain crime free multi-housing or equivalent language as found in the city Crime free rental housing ordinance. *(Sec. 10-358(e))*
- All Property Owners must conduct a criminal background check and a criminal and civil court records check on all prospective tenants and maintain a current register of tenants. This information must be available for review by the city upon request. *(Sec. 10-358(c))*
- **Property owners or managers who own or operate more than one rental unit:** Mandatory Crime Free Multi Housing (CFMH) training is required and must be completed within two years of the issuance of a new rental housing license. *(Sec. 10-358(d))*
- In accordance with Minnesota Statutes §§ 299C.67-68, a Property Owner shall request a criminal background check on any Residential Property Manager employed by the Property Owner. By signing this application, the Property Owner certifies that he/she will comply with Minnesota Statutes §§ 299C.67-68.

The undersigned acknowledges that he/she is the property owner or is legally responsible for the property and that he/she can rent this property, that this application has been read, that the information provided on this application is accurate, and further agrees to comply with the City of Maple Grove rental dwelling code.

Signature of Owner	Print Name	Date
Signature of Agent (if applicable)	Print Name	Date

CERTIFICATE OF COMPLIANCE - DEPARTMENT OF REVENUE INFORMATION

Rental Property Address:

City of Maple Grove•PO Box 1180 Maple Grove, MN 55311•763-494-6048

Pursuant to Minnesota Statute 270.72 Tax Clearance; Issuance of Licenses, the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant (person signing the application).

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance, renewal, or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
2. Upon receiving this information, the license authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
3. Failure to supply this information may jeopardize or delay the processing of your license issuance.

Please supply the following information and return along with your application:

Personal Information:

Applicant's Name	
Applicant's Address	City/State/Zip
Social Security Number	Phone Number

Business Information: (if applicable)

Business Name	
Business Address	City/State/Zip
Minnesota Tax ID #	**Federal Tax ID #**

If a Minnesota Tax ID number is not required, please attach explanation.

TENNESSEN WARNING: In connection with your request for a license, the City has asked that you provide information about yourself which may be classified as private, confidential, nonpublic, or protected nonpublic under the Minnesota Government Data Practices Act. This means that this data is not ordinarily available to the general public. Accordingly, the City is required to inform you of the following:

1. The purpose and intended use of the information requested is to determine if you are eligible for a license from the City of Maple Grove.
2. The known consequences of supplying the requested information is that the information or further investigation could disclose information which could cause your application to be denied.
3. You are not legally obligated to supply the requested information. The known consequences of refusing to supply the requested information is that your request for a license cannot be processed.
4. A criminal charge, arrest, or conviction will not necessarily bar you from obtaining a license with the City, unless the conviction is related to the matter for which the license is sought, according to Minn Stat. 364.03. However, failure to reveal the requested criminal information will be considered falsification of the application and may be used as grounds for the denial of the application.
5. Other governmental agencies necessary to process your application are authorized by law to receive the information provided.
6. The City is required by law to furnish some of this information to the Department of Labor and Industry and the Minnesota Commissioner of Revenue.

The undersigned, by signing this notice, acknowledges that he/she has read and understood the contents of this notice and has received a copy of this notice.

Signature	
Position(if applicable)	Date

Office Use Only:
Acct No. 1001-4159
License#_____
Receipt#_____

CITY OF MAPLE GROVE
Rental Property Address _____

PAYMENT OPTION AND AUTHORIZATION:

Rental License Fee:

_____ $325 New Rental License fee of $225 plus $100 property conversion inspection fee

_____ $287.50 Pro-Rated New Rental License fee **(paid after June 30)** of $187.50 plus $100 property conversion inspection fee

Form of Payment:

_____Check # _____

_____Credit Card: __Master __Visa __ Discover ___ American Express

- - - - - - - - - - - -

Credit Card # _____

Expiration Date: _____

Card Verification Code (CVV/CVC) _____

Credit Card Billing Address and Zip Code: _____

Print Name:_____

Signature:_____

All credit card information will be destroyed upon completion of payment.

City of Maple Grove

ERIC T. WERNER
Chief of Police

12800 Arbor Lakes Parkway, P.O. Box 1180, Maple Grove, MN 55311-6180 763-494-6000

POLICE DEPARTMENT

AUTOMATIC LANDLORD NOTIFICATION SYSTEM

Dear Rental Property Owner/Manager,

The City of Maple Grove has developed an automatic email notification system for rental property owners and managers. This system has the ability to notify landlords of police contacts at their rental properties to help keep them more aware of potential police contacts with their tenants. This is a voluntarily service offered to landlords with no cost.

Each notification will inform the landlord of the police case number, date and time of incident, type of incident, incident address, and the disposition of the contact. The automatic email notifications run on a five day delayed schedule and are only sent when there is a police contact at the physical rental address. There is an example of one of the notification emails on the backside of this document for your review.

If you are interested in signing up for this service you can fill out the information below and return it to us by one of the methods listed. If additional space is needed feel free to utilize space on the back of this document or by attaching additional paperwork.

First and last name: _____

Address of rental property: _____

_____

Email address for notifications: _____

(If you have multiple rental addresses they will all need to be listed in order for them all to be enrolled into the system. You can list multiple email addresses to receive notifications on as well.)

Please return information to us by:

Mail: Maple Grove Police Department
Attn: Crime Prevention
P.O. Box 1180
Maple Grove, MN 55369

Email: CFMH@maplegrovemn.gov

Fax: 763-494-6429, Attn: Crime Prevention

Drop off: You may turn this form in with your rental license paperwork or you may drop this form off at the Maple Grove Police Department.

Dear Rental Property Owner/Manager,

Recently, there was a police contact at your rental property located in the City of Maple Grove. We are advising you of this matter to assist in keeping you as informed as possible of police contacts at your rental property. Please note that a police contact does not automatically mean that any criminal incidents occurred. The details of this recent contact are listed below.

Case Number: 15000001
Date/Time: 1/1/2015 12:01 AM
Incident Type: NARCOTICS COMPL
Incident Location: 123 Main St 501
Disposition: REPORT (8)

If the above disposition lists arrest, report, or citation and you would like more information then please contact the Maple Grove Police Department by calling 763-494-6100 and complete a data request while referencing the above listed case number. Please allow 7-10 business days before the report will be ready for pick up. If you would like the report returned to you via fax or email please specify this at the time you make the data request.

If the above disposition lists something other than arrest, report, or citation and you would like more information or if you have questions regarding the Crime Free Multi-Housing Ordinance then please contact Maple Grove Police Crime Prevention by calling 763-494-6134 or you may simply reply to this email.

If you would like to be removed from the notification system for the address listed in this email than please reply to this email and make that request. Upon making that request the only address that will be discontinued is the one listed in this email. Notifications on any other addresses that you have enrolled in the notification system will continue until you make a request for them to be removed.

Thank you for your continued commitment to keeping Maple Grove rental property safe and enjoyable for everyone.

Todd Strege, Crime Prevention Officer
City of Maple Grove | 12800 Arbor Lakes Parkway | Maple Grove, MN 55311
Direct: 763-494-6134 | Fax: 763-494-6429 |

LEASE ADDENDUM FOR CRIME-FREE/DRUG-FREE HOUSING

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in illegal activity, including drug-related illegal activity, on or near the said premises. "Drug-related illegal activity" means the illegal manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 or the Controlled Substance Act [21 U.S.C. 801]) or possession of drug paraphernalia.
2. Resident, any member of the resident's household or a guest or other person under the resident's control shall not engage in any act intended to facilitate illegal activity, including drug-related illegal activity, on or near the said premises.
3. Resident or members of the household will not permit the dwelling to be used for, or to facilitate illegal activity, including drug-related illegal activity, regardless or whether the individual engaging in such activity is a member of the household.
4. Resident or members of the household will not engage in the manufacture, sale, or distribution of illegal drugs at any locations, whether on or near the dwelling unit premises or otherwise.
5. Resident, any member of the resident's household, or a guest or other person under the resident's control shall not engage in acts of violence or threats of violence, including but not limited to the unlawful discharge of firearms, prostitution, criminal street gang activity, intimidation, or any other breach of the rental agreement that otherwise jeopardizes the health, safety or welfare of the landlord, his agents or tenants.
6. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF TENANCY. A single violation of any of the provisions of this added addendum shall be deemed a serious violation and material non-compliance with the lease.

It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by the preponderance of the evidence.

7. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of the addendum shall govern.
8. This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

_____
(Resident)

MANAGEMENT

_____
(Resident)

_____

By:_____

_____
(Resident)

Date Signed:_____

Date Signed:_____

Resident(s) acknowledge receipt of this addendum by signature of this document.

Rental Property Pre-Inspection Checklist

Interior	
Walls and Ceilings o In good repair o Free from holes o Free from water damage	**Doors** o Secure o Fits frame o Proper hardware o Weather tight and rodent proof
Floors o In good repair o No holes o Structurally sound o No trip hazards (ie. torn carpet)	**Sleeping Rooms** o Proper egress or door open to the outside required o Floor space shall be no less than 70 square feet with a 7' minimum width o Proper light and ventilation o Operable smoke detectors
Hallway/Landing o Clear pathway o Handrails/guardrails securely attached. o Continuous guardrails required on open sides of landings/stairways 30" or more above grade o Grippable handrails o Floor covering should be intact and secured to floor o Locate a smoke detector within close proximity to sleeping rooms o All smoke detectors shall be installed per the manufacturer's installation instructions and its listing. Hard-wired smoke detectors shall be wired to a proper unswitched circuit. Carbon monoxide detector required outside of bedrooms within 10' of doors.	**Windows** o No broken/cracked glass o Easily openable o Capable of being held in position by window hardware o Openable windows must have screens in good repair o Weather tight o Window frame must be free of cracked, chipped, peeling, chalking, or flaking paint and caulk and biological growth
o **Occupancy** o Occupied sleeping rooms must have proper egress window or door opening to the outdoors. o Cellars/crawlspaces shall not be used as habitable space. o Basements must meet all permit construction requirements for light, ventilation, egress, etc. prior to being used as habitable space. o Adequate hot and cold running water must be provided to all sinks and tubs. o All household drains must connect to sanitary sewer o	(**occupancy cont.)** o Waste lines must be properly installed, "S" traps not allowed, no flexible style waste lines o Hand held showers must have backflow prevention or shorten line to 1-1/2" above spill line o No leaking faucets or pipes o Unused gas lines must be capped o All pipes must be free from defects and obstruction and properly secure and supported.

o **Fire Protection** o Storage of paint, paper, boxes, rags or other combustible/flammable material not allowed within 10 feet of gas fire appliances (furnaces, water heaters, etc.) o Path of egress shall not be blocked by debris, storage, trash, snow, ice or other obstruction. o All stairways require continuous, grippable handrails.	**(fire protection cont)** o Building with 3 or more units require fire extinguishers o All smoke detectors shall be installed to requirements with working batteries and functional connections. o Locate at least one smoke detector on each level, not including crawl spaces and uninhabitable attics
Kitchen o Hot (120 degrees) and cold running water o Kitchen sink must be properly connected to sanitary sewer o Kitchen must NOT be used for sleeping purposes o No dripping faucets o Drains must function properly, free of obstructions o Cabinets must be in good repair o Supplied or provided appliances must be in good working condition o Gas appliances must be connected properly with approved fittings/connectors	**Bathroom** o A tub or shower properly installed, maintained and in good repair with caulking intact o A washbasin properly installed, maintained and in good repair with caulking intact. o Properly installed toilet with all components intact and properly secured, maintained and functioning, sealed at base. o Faucets must have a minimum 1 inch gap above the spill line o Bathroom cabinets must be in good repair o No leaking faucets o Water-impervious flooring o Either an openable window or mechanical venting required o Hot and cold running water required to each fixture.
Electrical, Mechanical and Plumbing	
o **Electrical** o Adequate service and outlets o Properly installed service panel o Fixtures must be intact and properly functioning o Extension cords cannot be used in lieu of permanent wiring o Cover plates required on all outlets, switches and junction boxes o All wiring must be intact and properly maintained.	o **Mechanical** o Heating appliance must be properly installed and maintained o Temporary heating devices shall not be used as primary source of heat o Fuel burning appliance must be connected to an approved chimney, flue or vent o You may be required to provide service records of any heating system.
o **Plumbing** o Faucets must be a minimum 1 inch above spill lines on all fixtures o All plumbing must be installed and maintained to code	o Gas flex connectors must be Underwriters Laboratory (UL) listed and approved

o **Exterior**	
o **Windows and Doors** o Bug and rodent proof o Weather-tight o Working hardware o Free of defects - no torn/ripped screens	o **Walls – Exterior** o Soffit and fascia in good repair o House numbers in front (visible from public way) o Siding is weather tight and intact
o **Paint** o Wood surface weather protected o NO peeling, chipping, caulking, flaking or other deteriorated paint	o **Foundation** o Structurally sound o Free of holes or gaps o Proper grading
o **Roof** o Free of leaks o Structurally sound o No loose or missing shingles	o **Gutters and Downspouts** **(pertains to existing)** o Good condition o Properly attached and drain water away from structure
o **Chimney** o Tuckpointing/mortar in good repair o Flue liner in good repair	o **Porch/Decks** o Good repair o Guard railings required if over 30” above grade

ARTICLE XI. - RENTAL HOUSING

FOOTNOTE(S):

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Editor's note— Ord. No. 11-08, § 1, adopted Oct. 17, 2011, repealed the former art. XI, §§ 10-341—10-386, and enacted a new art. XI as set out herein. The former art. XI pertained to similar subject matter and derived from Code 1984. See the 1984 Code Comparative Table for full derivation.

Sec. 10-341. - Purpose and intent.

(a) The purpose of this article is to protect the health and safety and the welfare of the rental population of the city. These general objectives include, among others, the following:

(1) Maintain a quality character and stability of rental units within the city.

(2) Correct and prevent rental housing conditions that adversely affect or are likely to adversely affect the life, safety, welfare and health of persons occupying rental units within the city.

(3) Provide minimum standards for cooking, heating and sanitary equipment necessary to the health and safety of occupants of rental units.

(4) Provide minimum standards of light and ventilation necessary to health and safety.

(5) Prevent the overcrowding of rental units by providing minimum space standards per occupant for each rental unit.

(6) Provide minimum standards for the maintenance of rental units, and thus prevent slums and blight.

(7) Preserve the value of land and buildings throughout the city.

(b) With respect to rental disputes and except as otherwise specifically provided by the terms of this article, it is not the intention of the city to intrude upon the fair and accepted contractual relationship between tenant and landlord. The city does not intend to intervene as an advocate of either party, or to act as an arbiter, or to be receptive to complaints from a tenant or landlord which are not specifically and clearly relevant to the provisions of this article. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the city.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-342. - Applicability.

Every owner desiring to rent or renting any dwelling to a tenant shall comply with the requirements of this article.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-343. - 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:

Accessory structure means a subordinate building which is located on the same lot as the main building(s).

Apartment building means any building or portion thereof that contains three or more rental units exclusively for occupancy by three or more families or individuals living independently of each other, but sharing hallways and main entrances and exits, but not including condominiums, town homes, any other single-family attached unit, or any single-family detached units.

City means the City of Maple Grove.

City council shall mean the City Council of the City of Maple Grove.

Compliance official means the director of community development or his/her designee.

Condominium means a single dwelling in a multi-dwelling 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 dwelling.

Denied means the refusal to grant a license to a new or renewing applicant by the compliance official.

Dwelling means a single residence or habitation providing living facilities for one or more persons.

Lease means an oral or written agreement creating a tenancy in real property.

Occupant means any person living, sleeping, cooking and eating in a rental unit.

Operator means the owner or his agent who has charge, care, control, or management of a building, or part thereof, in which dwellings units are rented.

Owner means any person who, alone, jointly, or severally with others, shall be in actual possession of, or have charge, care or control of, any rental dwelling unit within the city as title holder, employee or agent of the title holder, operator, or as trustee or guardian of the estate or person of the title holder. Any such person representing the actual title holder shall be bound to comply with the provisions of this article to the same extent as the title holder.

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

Rental housing license means the formal approval of an activity specified on the rental housing license issued by the compliance official.

Rental unit means a dwelling or portion thereof let for rent, but does not include assisted living and residential medical facilities licensed by the State of Minnesota. For purposes of this section, a single rental unit includes a freestanding dwelling, a single dwelling in a cooperative, an individual condominium or townhouse, any single-family attached dwelling, or a dwelling in a nonresidential structure.

Revoke means to take back a license issued by the City of Maple Grove.

Single-family attached dwelling means a dwelling which is joined to another at one or more sides by a party wall.

Suspend means to make a license temporarily inoperative.

Tenant means any adult person granted temporary use of a rental unit in exchange for rent payable to the owner of the rental dwelling unit.

Townhouse means a structure housing three or more dwellings contiguous to each other only by the sharing of one common wall, such structures to be of the townhouse or row house type as contrasted to multiple-dwelling apartment structures.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 13-15, § 1, 6-3-2013; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-344. - Rental housing license required; term of license.

(a) No person shall operate a rental unit without first having obtained a rental housing license from the compliance official as provided in this article. Each such license shall be issued once every three years and shall expire on December 31 on the third year following the issuance thereof. License renewals for the following years shall be filed on or before December 15 prior to the license expiration date.

Exception: A rental license is not required for dwellings occupied by an immediate relative. For the purpose of this exemption, relative shall be defined as a husband, wife, father, mother, son, daughter, brother, sister, grandson, granddaughter, niece, nephew, grandfather, or grandmother. The compliance official may require sufficient written proof from the owner stipulating the relationship and living agreements.

(b) When more than one apartment building containing rental units exists on one premises, a separate license shall be required for each building.

(c) In an apartment building, a single license may be issued for all of the rental units in that building unless the dwelling unit is a condominium.

(d) Licenses shall be issued for a single rental unit in the case of a freestanding dwelling, a condominium, a townhouse, a dwelling in a cooperative, or a dwelling in a nonresidential structure; for a two-unit dwelling; any other single-family attached dwelling; or for an apartment building.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-345. - Application for license.

(a) License application or renewal under this article shall be made by the owner of the rental units on forms supplied by the city.

(b) The license application must include the residential address and P.O. Box, if applicable, of the owner of the rental unit. The owner must inform the city immediately if he/she changes his/her residential address and/or P.O. Box.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-346. - Resident agent required.

No license shall be issued or renewed for a nonresident owner of rental units (one who does not reside within the Counties of Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, Washington, Sherburne, or Wright) unless such owner designates in writing to the compliance official the name of his resident agent (a person who does reside within the counties referred to in this section) who is responsible for maintenance and upkeep and who is legally constituted and empowered to receive service of notice of violation of the provisions of the city ordinances, to receive orders and to institute remedial action to effect such orders and to accept all service of process pursuant to law. The compliance official shall be notified in writing of any change of the resident agent.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-347. - Inspection of premises prior to issuance of license; minimum standards.

No license shall be issued or renewed under this article unless the rental unit and its premises conform to the ordinances of the city. The city may require an inspection of such rental unit and premises to make that determination. Failure to schedule or allow a request by the compliance official for an inspection shall result in rejection of the application or renewal. The minimum standard to be used for inspections shall be chapter 8, article V, Property Maintenance Code and shall include inspection of the building exterior, common areas, basements, and accessory structures on the property.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-348. - Access for inspection.

No license shall be issued or renewed under this article unless the owner of the rental unit(s) agrees in his application to permit inspections to determine compliance with City Code during the effective period of the rental license. The submission of a license application, or the possession of a license issued by the city, shall constitute the express consent of the owner to grant free access and entry to the structure or premises under his control for inspection pursuant to this article. If any owner refuses to permit or schedule free access and entry to the structure or premises under his control for such inspection, or refuses to be present during any such inspection when requested by the compliance official, the application for a new or renewal rental license shall be immediately denied for such refusal. If at any other time the compliance official seeks entry to a licensed rental unit for inspection and the compliance official is refused free access and entry, the compliance official may pursue any remedy at law, including, but not limited to, securing an administrative search warrant for the property, revoking or suspending the rental license, or seeking such other remedies provided by law.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-349. - License fees.

(a) The amount of license fees shall be as set forth in section 16-81. License fees for new licenses must be paid prior to the issuance of a license. In cases of licensing periods of less than three years, license fees shall be prorated semi-annually.

Exception: Rental units owned or under the control of the city must be licensed but are exempt from paying license fees.

License fees for renewals of licenses under this article shall be due on December 15 immediately prior to the license expiration date. The license fee shall increase per section 16-81 when an application for renewal is received more than 30 days after it is due.

(b) The licensee shall not be entitled to a refund of any license fee upon revocation or suspension of the license, but may be entitled to a refund if the owner voluntarily ceases to operate a rental unit. Said refund shall be prorated for each full year of the term of the license beyond the date of notification to the city by the owner. The city shall be notified within 30 days of the termination of the rental agreement between the owner and the renter to determine a refund, if any.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-350. - Action on application.

The compliance official shall examine or cause to be examined applications for licenses within a reasonable time after receipt. When the compliance official is satisfied that the application conforms to the requirements of this article, that all fees have been paid, and applicable laws and ordinances are met, the compliance official shall issue a license. If the application does not conform to the requirements of this article or with any other ordinances or requirements of the city, the compliance official shall reject the application and notify the applicant in writing of the reasons for rejection. An applicant may appeal the decision of the compliance official to reject an application in the manner prescribed in section 10-354.

(Ord. No. 11-08, § 1, 10-17-2011)

Sec. 10-351. - Posting of license.

The owner shall conspicuously post the rental housing license in an interior common area of any building containing three or more rental dwelling units.

Exceptions:

(1) When the rental units are condominiums.

(2) When the building has no interior common area.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-352. - Transfer of license.

No license under this article shall be transferable to another person or to another rental unit. Every person holding a license shall give notice to the compliance official within 72 hours after having legally transferred or otherwise disposed of the legal control of any licensed rental dwelling unit. Such notice shall include the name and address of the person succeeding to the ownership or control of such rental unit. A license application received from a succeeding owner shall be considered a new license application.

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-353. - Suspension or revocation of license.

(a) The compliance official may deny a rental housing license application, revoke, suspend, or decline to renew any rental housing license issued under this section. In buildings containing more than one rental unit, the denial, revocation, suspension, or declination may apply to one or more rental units at the discretion of the compliance official. The basis for such revocation, suspension, denial or non-renewal includes, but is not limited to, any of the following circumstances:

(1) The license was procured by misrepresentation of material facts with regard to the rental unit or the ownership of the rental 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 of Maple Grove.

(4) The activities of the owner create or have created a danger to the public health, safety or welfare.

(5) The rental 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, penalty or reinstatement fee required by this section and city council resolution.

(7) Failure to correct violations of Maple Grove City Code chapter 8, article V, Property Maintenance Code, in the time period specified in the notice of violation and correction.

(8) Violation of any regulation or provision of the Code applicable to the activity to which the license has been granted or any regulation or law of the state so applicable.

(9) Failure to continuously comply with any condition required of the applicant for the approval or maintenance of the license.

(10) Any violation of this article.

(11) Failure to conduct criminal background checks of tenants as required by City Code subsection 10-358(c).

(12) Failure to include the crime-free multi-housing addendum in all leases as required by City Code subsection 10-358(e).

(13) Failing to provide a written disorderly use report when required by City Code subsections 10-358(f)(4) or (5).

(14) Their third instance of disorderly conduct under City Code subsection 10-358(f).

(15) Tenant, any members of the tenant's household or a guest with tenant who engages in any felony level criminal activity or drug-related criminal activity on or near the premises of a rental unit, as those terms are defined in City Code subsection 10-358(b).

(b) If a license is suspended or revoked by the compliance official pursuant to this section, it shall be unlawful for the owner to thereafter permit any occupancy of a rental unit until such time as a reinstatement fee has been paid by the owner as set forth in section 16-81 and a valid license has be restored by the compliance official.

(c) Any owner aggrieved by the decision of the compliance official to deny, revoke, suspend, or decline to renew any rental housing license shall have the right to appeal such decision to the city council in accordance with section 10-354

(Ord. No. 11-08, § 1, 10-17-2011; Ord. No. 13-15, § 2, 6-3-2013; Ord. No. 14-01, § 1, 5-19-2014)

Sec. 10-354. - Right of appeal.

Any owner aggrieved by a decision of the compliance official may appeal that decision to the Maple Grove City Council. Such appeal must be in writing, must specify the grounds for the appeal, must be accompanied by a filing fee as set forth in section 16-81 in cash or cashier's check, and must be filed with the compliance official within five business days after service of the date of any written notice, order, non-renewal, denial, revocation, or suspension issued by the compliance official. The filing of an appeal shall stay all proceedings in furtherance of the action appealed from, unless such a stay would cause imminent peril to life, health or property.

(Ord. No. 11-08, § 1, 10-17-2011)

Sec. 10-355. - Decision on appeal.

Upon at least five business days' notice to the appellant of the time and place for hearing the appeal, and within 30 days after the appeal is filed, the city council shall hold a hearing thereon during a regularly scheduled city council meeting. The city council shall make findings based on the evidence and make a decision on the appeal based on the findings. The city council may reverse, modify or affirm, in whole or in part, the written notice, order, non-renewal, denial, revocation, or suspension of the compliance official.

The city council shall issue a written decision regarding its decision on the appeal within 30 days following the date of the hearing and shall notify the appellant of the decision by first class mail with a duplicate to the compliance official.

(Ord. No. 11-08, § 1, 10-17-2011)

Sec. 10-356. - Conflicts and severance.

Where there are conflicts between this article and any other article of this Code or other state or federal laws, regulations, or ordinances, the more restrictive shall apply. If any provision of any section of this article or any part thereof is deemed unenforceable all other all other provisions and requirements of that section or subsection shall remain in full force and effect.

(Ord. No. 11-08, § 1, 10-17-2011)

Sec. 10-357. - 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 compliance 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 any violations are corrected.

(Ord. No. 11-08, § 1, 10-17-2011)

Sec. 10-358. - Crime-free rental housing ordinance.

(a) *Purpose.* It is the purpose of this section to assure that rental units in the city are decent, safe and sanitary and are 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 units is a business enterprise that entails certain responsibilities. Rental unit owners and operators are responsible to take such reasonable steps as are necessary to ensure that the tenants who occupy such rental units may pursue the quiet enjoyment of the normal activities of life in surroundings that are safe, secure, sanitary, free from noise, nuisances and annoyances, and free from crimes and criminal activity.

(b) *Definitions.* The terms used in this section shall have the same meaning as those defined in the city's general rental ordinance, City Code section 10-343, unless modified or supplemented below:

City administrator means the City Administrator of the City of Maple Grove.

Criminal activity means prostitution, criminal street gang activity, threatening, intimidating or assaultive behavior, the unlawful discharge of firearms, or any other criminal activity on or near the premises that jeopardizes the health, safety and welfare of the landlord owner, his agent operator, other resident, neighbor or other third party, or involving imminent or actual serious property damage.

Drug-related criminal activity means the illegal manufacture, sale, distribution, use or possession with or without intent to manufacture, sell, distribute, or use of a controlled substance or any substance represented to be drugs as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802].

Near the premises means any lot or unplatted parcel of land in its entirety including, but not limited to, any primary structures, common areas, parking lots, recreational areas, open space, or accessory structures or other structures that is adjacent to a premises.

Premises means the entire lot or unplatted parcel of land upon which there is a rental unit, including, but not limited to, a rental unit and any common area, parking lot, recreational area, open space, or accessory structure or other structure thereon.

Tenant means any adult person(s) granted temporary use of a rental unit pursuant to a lease with the owner or operator of the rental unit.

(c) *Criminal background check.* The owner or operator shall conduct criminal background checks on all prospective tenants. The criminal background check must include the following:

(1) A state-wide (Minnesota) criminal history check of all prospective tenants covering at least the last three years; the check must be done utilizing the most recent update of the state criminal history files;

(2) A state-wide (Minnesota) criminal and civil court records check of all prospective tenants covering at least the last three years including all misdemeanor, gross misdemeanor, and felony convictions;

(3) A state-wide criminal history check of any prospective tenant in their previous states of residence, if available, covering the last three years if they have not resided in Minnesota for three years or longer;

(4) The owner or operator must maintain a current register of tenants and other persons who have a lawful right to occupancy of a rental unit. The register of tenants must include full name, dates of birth, and the most current phone number available. The tenant register along with proof of background check(s) must be available for review by the city upon request.

(d) *Minnesota Crime-free Multi-Housing Program.* The city has established a rental owner educational program consistent with the Minnesota Crime-Free Multi-Housing Program. This educational program does include, but is not limited to information such as: applicant screening, rental agreements, identification of illegal activity, eviction process, the roles of working with the police, crime prevention, code enforcement and public health, licensing and inspections, and active property management. The following are requirements of the program:

(1) Owners or operators of two or more rental units must complete the crime-free multi-housing seminar offered by the city's police department or a similar program approved by the city's police department within two years of the issuance of a new rental housing license.

(2) Owners or operators of two or more rental units must complete the crime-free multi-housing seminar, or refresher course, offered by the city's police department or a similar program approved by the city's police department every six years before the license for a unit is renewed and thereafter every six years as long as the dwelling continues to be a rental unit.

(3) Owners or operators of one rental unit in the City of Maple Grove must attend the mandatory training if there is a violation of the crime-free/drug-free lease addendum required by subsection (e), or there are three instances of disorderly conduct on the property as set forth in subsection (f), in which case the owner or operator must complete the mandatory training before the dwelling license may be renewed.

(4) Program attendees will be required to pay a participation fee set forth in section 16-81 of City Code.

(e) *Crime-free/drug-free lease requirements.*

(1)

Lease addendum. All tenant leases signed following the enactment of this section, except for state-licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following crime-free multi-housing addendum language or equivalent language:

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

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

c. Tenant, any member of the tenant's household or a guest or other person affiliated with the tenant shall not permit the dwelling to be used for, or to facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.

d. Tenant, any member of the tenant's household or a guest, or other person affiliated with the tenant shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance on or near the premises.

e. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.

(2) *Non-exclusive remedies.* The crime-free/drug-free addendum is in addition to all other terms of the lease and do not limit or replace any other provisions.

(3) *Incorporation.* The crime-free/drug-free addendum shall be incorporated with all new and renewed leases for a tenancy beginning two months after code adoption.

(f) *Conduct on rental property.*

(1) *Disorderly conduct.* It is the responsibility of the owner or operator to ensure that persons occupying a rental dwelling, whether as tenants or guests, conduct themselves in such a manner as not to cause the premises to be disorderly. For purposes of this section, disorderly conduct means conduct on or near the premises that is prohibited by any of the following regulations:

a. Minnesota Statutes, §§ 609.75 through 609.76, which prohibit gambling.

b. Minnesota Statutes, §§ 609.321, 609.322, and 609.324, which prohibit prostitution and acts relating thereto.

c. Minnesota Statutes, §§ 152.01 through 152.025, and § 152.027, Subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances.

d. Minnesota Statutes, § 340A.401, which prohibits the unlawful sale of alcoholic beverages.

e. Sections 20-81, 20-82, 20-88, 20-89, and 20-91 of this Code, which prohibit noise and noisy assemblies.

f. Minnesota Statutes, §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 20-63 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon.

g. Minnesota Statutes, § 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.

h.

Failure to comply with potentially dangerous dog requirements in violation of section 6-13 of this Code and dangerous dog requirements in violation of section 6-14 of this Code or Minn. Stats. ch. 347.

i. Indecent exposure in violation of Minn. Stats. § 617.23.

j. Assault, as defined by Minn. Stats. §§ 609.221, 609.222, 609.223, 609.2231 and 609.224, excluding domestic assaults.

k. Public nuisance, as defined by sections 14-31 and 14-32 of this Code or Minn. Stats. §§ 609.7 —609.745.

l. The unlawful sale, furnishing, use, or possession of intoxicating liquor or non-intoxicating malt liquor in violation of Minnesota law or chapter 4 of this Code.

m. Criminal damage to property in violation of Minn. Stats. § 609.595.

n. The unlawful sale or possession of small amounts of marijuana in violation of Minn. Stats. § subd.4.

o. The unlawful possession or use of drug paraphernalia in violation of Minn. Stats. § 152.092.

p. Contributing to the delinquency of a juvenile.

q. Minnesota Statutes § 609.50 which prohibits interference with a police officer.

r. Minnesota Statutes § 609.713 which prohibits terroristic threats.

s. Minnesota Statutes § 609.78 which prohibits interfering with "911" phone calls.

t. Minnesota Statutes § 609.229 (crime committed for benefit of a gang).

The following actions shall not be considered disorderly conduct: (1) where there is a report of "domestic abuse" between "family or household members" as defined in Minn. Stats., § 518B 01, subd. 2; and (2) when there is an "emergency call" as defined in Minn. Stats. § 609.78, subd. 3 resulting from a tenant, a member of a tenant's household, or guest seeking emergency assistance protected by Minn. Stats. § 504B.205.

(2) *Determining disorderly conduct.* A determination that disorderly conduct as described in subsection (f)(1) has occurred shall be made by the police department when there is probable cause to support such a determination. It shall not be necessary that criminal charges are brought to support a determination of disorderly conduct, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.

(3) *First instance of disorderly conduct.* Upon determination by the police department that disorderly conduct, as described in subsection (f)(1) of this section, has occurred, the city administrator or designate shall give notice to the owner and operator of the violation and direct the owner or operator to take steps to prevent further violations. Notice may be personally served on the owner and operator, sent by certified mail to the owner and operator's last known address, or, if neither method of service effects notice, by posting on a conspicuous place on the rental unit.

(4) *Second instance of disorderly conduct.* If a second instance of disorderly conduct as determined by the police department occurs at the same rental unit or in relation to the same tenant within the 12-month period following an incident for which a notice was sent pursuant to subsection (f)(3), the city administrator or designate shall notify the owner and operator of the violation and must also require the owner or operator to submit a written report of the actions taken, and proposed to be taken to prevent further disorderly use. This written report must be submitted to the city administrator or designate within 15 business days of receipt of the second notice of disorderly conduct that details all actions taken by the owner or operator in response to all notices of

disorderly conduct within the preceding 12 months. If no written report is received, the city administrator or designate may cause the rental license to be revoked, suspended, or not renewed pursuant to City Code section 10-353. Any strikes previously issued to a rental unit shall be exonerated if the tenant occupying the rental unit at the time the strikes were issued vacates the rental unit, the vacating tenant does not relocate to another rental unit owned by the owner or operator, and the owner or operator enters into a new lease with tenants who have not previously caused an incident of disorderly conduct in a rental unit owned by the owner or operator in the previous 12 months.

(5) *Third instance of disorderly conduct.* If a third instance of disorderly conduct as determined by the police department occurs at the same rental unit or in relation to the same tenant within the 12-month period following any two previous instances of disorderly conduct for which notices were given pursuant to subsections (f)(3) or (4), the city administrator or designate shall notify the owner and operator of the violation and must also require the owner or operator to submit a written report to the city administrator or designate within 15 business days of the third notice of disorderly conduct that details the action taken in response to the third instance of disorderly conduct and whether the offending tenant(s) will be vacating or continuing to occupy the rental unit. If no written report is received or the offending tenant(s) are or will continue to occupy the rental unit, the city administrator or designate may cause the rental license to be revoked, suspended, or not renewed pursuant to City Code section 10-353. Any strikes previously issued to a rental unit shall be exonerated if the tenant occupying the rental unit at the time the strikes were issued vacates the rental unit, the vacating tenant does not relocate to another rental unit owned by the owner or operator, and the owner or operator enters into a new lease with tenants who have not previously caused an incident of disorderly conduct in a rental unit owned by the owner or operator in the previous 12 months.

(6) *Postponing license action.* No adverse license action shall be imposed where the third instance of disorderly conduct occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given to a tenant to vacate the premises where the disorderly use was related to conduct by that tenant or by other occupants or guests of the tenant's unit. Eviction proceedings are not a bar to adverse license action if the owner or operator does not diligently pursue the eviction.

(7) *Notice of register update.* If the police department receives information that a tenant is allowing person(s) to occupy, live, or establish residency in a rental unit without the consent of the owner or operator then the city administrator or designate shall in his discretion cause notice to be made to the owner or operator to include the unlawfultenant(s) full name, date of birth, last known address, and if possible their relation to the tenant, to the register required by subsection (c)(4).

(Ord. No. 13-14, § 1, 6-3-2013; Ord. No. 14-01, § 1, 5-19-2014)

Secs. 10-359—10-410. - Reserved.

Sect. 16-81 - Schedule of License and Permit Fees

Type of License, Permit or Fee	Conditions and Terms	Amount
Rental Housing License	Every 3 years; expires December 31; prorated semi-annually for license periods less than 3 years; renewal applications due December 15.	
	Single rental units (including individual condominiums, townhouses and any single-family attached dwelling)	225.00
	Crime free multi-housing seminar fee under section 10-358	35.00
	Apartments:	
	Per building;	150.00
	Plus amount per rental unit;	15.00
	Penalty for renewal applications filed and fees paid after December 15	25.00 for each 30 days after December 15, but no more than 60 days
	Filing fee for appeal of compliance order under section 10-354	50.00
	Reinstatement fee	50.00
	Rental conversion fee for previously occupied dwelling units	100.00
	Reinspection fee	47.00 for each inspection after the second inspection

Should you have any questions about specific aspects of this ordinance, please contact Denise Leishman, Administrative Secretary/Rental Housing Assistant, City of Maple Grove at 763-494-6048.