



**CITY OF HAM LAKE  
15544 CENTRAL AVE NE  
HAM LAKE, MN 55304**

**FEE: \$100.00**

**DATE PAID:** \_\_\_\_\_

**RECEIPT #:** \_\_\_\_\_

**SHORT-TERM RENTAL APPLICATION**

Pursuant to the attached Ham Lake City Code Article 7, Licenses, to regulate and establish licensing procedure for the short-term rentals of property in residential districts.

**Owner Name(s):** \_\_\_\_\_

**Short-Term Rental Property Address:** \_\_\_\_\_

**Phone (day):** \_\_\_\_\_ **Phone (cell):** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**PROPERTY INSPECTION REQUIRED BY CITY BUILDING OFFICIAL:**

A City Official must be allowed by the applicant to enter, examine, and survey all proposed dwelling units. The inspection shall confirm that the proposed dwelling unit meets all building and zoning requirements of the City Code and the laws of the State of Minnesota, specifically including, but not limited to, safety standards for smoke detectors, carbon monoxide detectors, hand rails, guard rails, and electrical permitting requirements for both hot tubs and large appliances.

**PROPERTY INSPECTION MUST BE COMPLETED DURING CITY HALL BUSINESS HOURS:**

Please indicate which day(s) and time(s) work best for the inspection.

Morning (8:00 a.m. – 11:00 a.m.) Monday - Friday

Afternoon (1:30 p.m. – 3:00 p.m.) Monday - Thursday

Monday     Tuesday     Wednesday     Thursday     Friday

I understand that I will operate and maintain the subject premises identified herein according to the attached City of Ham Lake Code of Ordinances.

I certify that I am the owner and answers contained herein are true and accurate in all respect to the best of my knowledge and belief. As owner, I agree to meet with the City of Ham Lake inspector on-site for all required inspections and/or re-inspections. Tenants are not considered an authorized agent. The tenant cannot be the only one attending the inspection.

In accordance with the Minnesota Government Data Practices Act, the City of Ham Lake hereby informs you that some of all of the information you are asked to provide is classified as public. This information will be used to process your Short-Term Rental License Application Form. You may choose to withhold this information, however, if you do, the City of Ham Lake may not be able to process your form and issue you a short-term rental license. All renewal paperwork will be sent to the owner of record per Anoka County Property Records.

**PROPERTY OWNER'S SIGNATURE:**

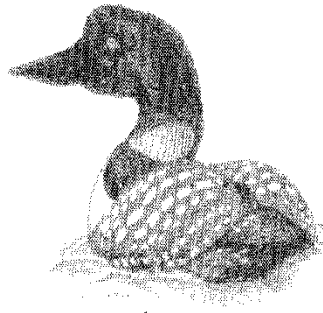
**Staff Use Only:**

**Building Official Signature:** \_\_\_\_\_

**Date Approved:** \_\_\_\_\_ **Date Denied:** \_\_\_\_\_

**Term of License (annually, expiring on December 31<sup>st</sup> of each year, unless suspended or revoked):**

**License No.** \_\_\_\_\_



## CITY OF HAM LAKE SHORT-TERM RENTAL LICENSING: INSPECTION CHECKLIST

An inspection is required per Ham Lake City Code, Article 7-1300.

	ITEM	CONDITION
<input type="checkbox"/>	House Address Numbers (4" min.)	Installed and visible from street
<input type="checkbox"/>	Structure	Building appears structurally sound
<input type="checkbox"/>	Smoke Alarms	One per bedroom and on each level
<input type="checkbox"/>	Carbon Monoxide Alarm	One within ten feet of bedrooms
<input type="checkbox"/>	Railings, guardrails, handrails	In place where required and in good condition
<input type="checkbox"/>	Plumbing Pipes & Fixtures	Good working order
<input type="checkbox"/>	Electrical (fixtures, plates & covers)	Good working order
<input type="checkbox"/>	Electrical (hot tubs, large appliances)	Properly permitted and installed
<input type="checkbox"/>	Furnace/Mechanical Room	Free from clutter (3' clearance to combustibles)
<input type="checkbox"/>	Laundry Area/Room	Free from lint, proper dryer venting

Inspection passed on (date): \_\_\_\_\_ Inspection failed on (date): \_\_\_\_\_

Inspected by (print name): \_\_\_\_\_

Signature of inspector: \_\_\_\_\_

Comments/notes:

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**7-1301 Purpose**

The purpose of this section is to ensure that the short-term rental of dwelling units in the City's Residential Districts is conducted, operated, and maintained so as not to become a nuisance to the surrounding neighborhood or an influence that fosters blight and deterioration. The City recognizes the potential exists for short-term rentals to become a significant business operation in Minnesota. Regulating rental of private homes for temporary occupancy is necessary to protect the essential character of residential neighborhoods and the health, safety and general welfare of the community.

**7-1302 Scope**

This section applies to the short-term rental of all dwelling units located in the City's Residential Districts.

**7-1303 Definitions**

The following words and terms when used in this sections shall have the following meanings:

**“Bedroom”** means a habitable room within a single-family dwelling which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen, dining room, or living room.

**“Dwelling Unit”** means one or more rooms physically arranged so as to create a single housekeeping unit for occupancy by one family with separate toilets and facilities for cooking and sleeping.

**“Occupant”** means any person who occupies all or part of a dwelling unit.

**“Owner”** means a person having legal or equitable interest in the dwelling unit or its premises.

**“Licensed Premises”** means the lot or parcel of land on which a dwelling unit licensed as a short-term rental is located.

**“Residential District”** means any land use district described in Articles 9-210.1, 9-210.3, 9-210.4 and 9-210.5 of the City's Zoning Ordinance.

**“Short-term rental”** means the rental or lease of a dwelling unit in whole or in part for 30 days or less.

**“Short-term rental license”** means the license issued by the City for the rental or lease of a dwelling unit in whole or in part for 30 days or less.

**“Tenant”** means any person who is occupying a dwelling unit under any agreement, lease, or contract, whether oral or written, which requires the payment of money, or any other form of compensation, as rent for the use of the dwelling unit.

**7-1304 License required**

No owner shall undertake or allow the short-term rental of any dwelling unit to a tenant or tenants unless properly licensed as provided in this section.

**7-1305 Application**

An owner desiring to undertake or allow the short-term rental of a dwelling unit in one of the City's Residential Districts shall apply to the City for a short-term rental license. The application shall be submitted by the owner on a form provided by the City and include all required information.

**7-1306 License Fee**

Each application shall be accompanied by payment in full of the required license fee, which shall be determined from time to time by the City Council and set forth in the City fee schedule.

**7-1307 Inspection Required**

As a pre-requisite to the issuance of a short-term rental license, the premises must be inspected by a City building official. The City Code Enforcement Official, Building Official, Fire Official, or other designated City official must be allowed by the applicant to enter, examine, and survey all proposed dwelling units. The inspection shall confirm that the proposed dwelling unit meets all building and zoning requirements of the City Code and the laws of the State of Minnesota, specifically including, but not limited to, safety standards for smoke detectors, carbon monoxide detectors, hand rails, guard rails, and electrical permitting requirements for hot tubs and large appliances.

**7-1308 Issuance of Short-term Rental License**

If City staff, after consultation with the City building official who conducted an inspection, determines that an applicant has met the requirements for issuance of a short-term rental license, the applicant shall be issued a license.

If City staff determines that an applicant has not met the requirements for issuance of a short-term rental license, City staff shall forward the application to the City Administrator with the reasons outlining the recommendations for denial. The City Administrator may either direct that the short-term rental license be issued or deny the application and notify the applicant of the reasons for denial of the application.

**7-1309 Expiration of License**

Except as otherwise provided in this section, all short-term rental licenses shall expire annually on December 31<sup>st</sup> of each year unless suspended or revoked earlier.

**7-1310 Renewal of License**

Applications for renewal of an existing short-term rental license shall be made at least 60 days prior to the expiration of the current short-term rental license. All such applications shall be submitted on forms provided by the City and shall be accompanied by the required license fee.

**7-1311 License Not Transferable**

No short-term license shall be transferable to another person or to another dwelling unit. Every person holding a short-term rental license shall give notice in writing to the

Code Enforcement Official or City Administrator within five business days after having legally transferred or otherwise disposed of the legal control of any dwelling unit.

#### **7-1312 Denial of Short-term Rental License**

A short-term rental application may be denied if the applicant has had a prior short-term rental license revoked within the preceding 12 months of the date of application, fails to provide any information required on the city license application, or provides false or misleading information.

#### **7-1320 Responsibility of Owners**

No owner shall undertake or allow the short-term rental of a dwelling unit in a Residential District that does not comply with all applicable City ordinances, the laws of the State of Minnesota and this section. The owner shall keep on file with the City the name, address, and telephone number of a contact person, either the owner or owner's agent, who shall be responsible for responding to questions or concerns regarding operation of the short-term rental. This contact person shall be available to accept telephone calls 24 hours a day during all times that the dwelling unit is being rented to respond immediately to complaints and contacts relating to the dwelling unit. It shall be the owner's responsibility to ensure that all tenants, occupants, and guests comply with the following:

#### **7-1321 Maximum Overnight Occupancy**

The number of overnight occupants allowed for a short-term rental shall be limited to a maximum of six (6) tenants or occupants. This maximum number of tenants or occupants is in addition to and does not include any permanent, full-time residents of the licensed premises. Children under three years of age are not to be counted toward the overnight occupancy limit. The total number of overnight occupants shall additionally be limited so as to be consistent with the septic tank capacity standards outlined in state law and City Code. City building officials shall have final discretion in determining whether the proposed number of overnight occupants can adequately be accommodated by the number of bedrooms and the septic system existing on the licensed premises.

#### **7-1322 Maintenance Standards**

Every dwelling unit used for short-term rental shall conform to all building and zoning requirements of the City Code, conditional use permits issued by the City, and the laws of the State of Minnesota.

#### **7-1323 Occupants**

The owner or owner's agent shall maintain a list of all current occupants of each dwelling unit. The owner or owner's agent shall make the list available to City staff and/or law enforcement upon request.

#### **7-1324 Parking**

The licensed premises shall contain off-street parking spaces sufficient to accommodate all vehicles utilized by any tenant of the short term rental. Such off-

street parking must comply with all parking regulations outlined in State statutes and City Code. In no case shall on-street parking of any tenant vehicle be allowed.

#### **7-1325 Noise**

The tenants, guests, or occupants of a licensed premises shall not produce excessive noise likely to disturb occupants of adjacent properties. The following noises shall be considered excessive noise between the hours of 10:00 p.m. and 7:00 a.m: (1) any party or gathering audible from a public right of way or from any adjacent property; or (2) any electronic, mechanical, musical, or audio sound audible from a public right of way or from any adjacent property. Any instance of excessive noise may be considered a disorderly use, as outlined below.

#### **7-1326 Disorderly Use**

Disorderly conduct or use is prohibited on all licensed premises. It shall be the responsibility of the owner to ensure that all tenants occupying the licensed premises and their guests conduct themselves in such a manner as not to cause the licensed premises to be disorderly or to create unreasonable noise or disturbances. For purposes of this Section, disorderly use includes but is not limited to any violation of state statutes or city ordinances relating to the sale or possession of controlled substances, unlawful gambling, prostitution, unlawful sale of alcohol, underage consumption of alcohol, criminal damage to property, unlawful possession or use of a weapon, criminal assault, criminal disorderly conduct which disturbs or alarms the occupants of the premises or surrounding premises, and any public nuisances affecting the health, peace, or safety of members of the public.

#### **7-1327 Determination of Disorderly Use**

A determination that the licensed premises has been used in a disorderly manner as described in this section shall be made by a City Code Enforcement Official or the City Administrator upon evidence to support such a determination, including reports from responding law enforcement agencies. It shall not be necessary that criminal charges be brought to support a determination of disorderly use, nor shall the dismissal or acquittal on a criminal charge prevent the City from taking an adverse license action under this section.

Upon determination by a City Code Enforcement Official or the City Administrator that a licensed premises was used in a disorderly manner, as described in this section, either a City Code Enforcement Official or the City Administrator shall notify the owner or owner's agent by certified mail of the violation and direct the owner or owner's agent to take appropriate action to prevent further violations.

If a second instance of disorderly use of the license premises occurs within one year of an incident for which written notice was given pursuant to this section, a City Code Enforcement Official or the City Administrator shall notify the owner or owner's agent by certified mail of the second violation and shall also require the owner or owner's agent to submit within fifteen (15) days a written report of the actions taken, and

proposed to be taken, by the owner or owner's agent to prevent further disorderly use of the licensed premises.

If a third instance of disorderly use of the licensed premises occurs within one year after the second of any two previous instances of disorderly use for which written notice was sent pursuant to this section, the short-term rental license may be revoked, suspended, or not renewed. An action to revoke, suspend, or not renew a license under this section shall be initiated by the Code Enforcement Official or City Administrator in the manner described below.

#### **7-1330 License Suspension or Revocation**

Every short-term rental license issued under this section is subject to suspension or revocation by the City Administrator for any violation of this section or any other ordinance of the City or law of the State of Minnesota. The Code Enforcement Official may recommend suspension or revocation of a short-term rental license to the City Administrator. The City Administrator shall review the recommendation and the reasons supporting the recommendation and may suspend or revoke the license. The City Administrator shall provide written notice by certified mail to the owner or owner's agent of the suspension or revocation. The written notice shall inform the owner or owner's agent of the right to appeal the decision to the City Council.

Any owner whose license is suspended or revoked may appeal the decision to the City Council. Such appeal shall be taken by filing with the City Clerk within ten (10) days after the date of issuance of the written suspension or revocation notice, a written statement requesting a hearing before the City Council and setting forth the basis for the appeal. A hearing shall be held within thirty (30) days of receipt of the request. Notice of the hearing shall be given by the City Clerk in writing, setting forth the time and place of the hearing. Such notice shall be mailed to the owner or owner's agent at least five (5) days prior to the date set for the hearing.

#### **7-1331 Effect of Suspension or Revocation**

If a short-term rental license is suspended or revoked, it shall be unlawful for anyone to allow any new short-term rental occupancies of the dwelling unit until such time as a valid short-term rental license is restored by the City. No person who has had a license revoked under this section shall be issued a short-term rental license for one year from the date of revocation.

#### **7-1340 Posting**

The owner of a licensed premise must post notice of the tenants' obligations outlined in this section. This notice must be posted in a conspicuous place at or near the entrance of every short-term rental dwelling unit and must notify the tenants that any violation of this ordinance is a misdemeanor.

#### **7-1350 Penalty**

Any person who undertakes or allows any violation of this ordinance shall be guilty of a misdemeanor and may be subsequently prosecuted in accordance with the provisions of Minnesota law.