

RENTAL DWELLING LICENSE APPLICATION

_____ For the license term January 1, 2023 – December 31, 2025

_____ For the license term July 1, 2023 – December 31, 2025



City of
Maple Grove
Minnesota

Attn: Rental Housing
12800 Arbor Lakes Pkwy
Maple Grove MN 55369-7064
residentialrentallicense@maplegrovern.gov
763-494-6043

FOR OFFICE USE ONLY	
Date Received: _____	Initial: _____
New License Application Fee:	
___ \$500 Building	___ \$20 (Per apartment unit)
___ \$420 (Jul-Dec)	
___ \$1000 Conversion inspection fee	
Payment Method: ___ Check	___ Credit Card
Inspection Scheduled: _____	
Received: _____	
_____ Application	
_____ MNDOR Cert of Compliance	
_____ MN Workers Comp Cert of Comp	
_____ Payment Auth. Form	
Date Processed: _____	Initial: _____
License # _____	

RENTAL PROPERTY INFORMATION

Apartment rental property address: _____

(Each building will need a license)

Number of Units : _____ Year Built: _____

___ 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): _____

(Required)

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**

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 (required)

Print Name

Date

Signature of Agent (if applicable)

Print Name

Date

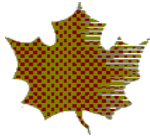
PAYMENT OPTIONS

Rental License Fee - Rental License fee of \$500 per building plus \$20 per unit.

Form of Payment

Check # _____

Credit Card (payment over the phone or in person) MasterCard Visa Discover American Express



CERTIFICATE OF COMPLIANCE - DEPARTMENT OF REVENUE INFORMATION

Rental Property Address:

City of Maple Grove • 12800 Arbor Lakes Pkwy, Maple Grove MN 55369-7064 • 763-494-6043

Pursuant to Minnesota Statute 270C.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 # (nine digit number)

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

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
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County	Email address
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You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)

Policy number	Effective date	Expiration date
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I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

2. I am not required to have workers' compensation insurance because:

I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)

I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)

I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)

I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

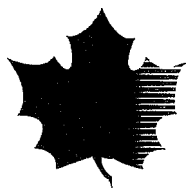
Explain why your employees are not required to be covered

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.



City of
Maple Grove

ERIC T. WERNER
Chief of Police

12800 Arbor Lakes Parkway, Maple Grove, MN 55369-7064

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 below for your review.

If you are interested in signing up for this service, please visit www.maplegrovern.gov/rentals and complete the online submission form.

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: 18012345
Date/Time: 6/14/2018 12:50 PM
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 55369
Direct: 763-494-6134 | Fax: 763-494-6429 |

"Serving Today, Shaping Tomorrow"
AN EQUAL OPPORTUNITY EMPLOYER

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.

MANAGEMENT

(Resident)

(Resident)

By: _____

(Resident)

Date Signed: _____

Date Signed: _____

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

Rental Property Pre-Inspection Checklist

ALL smoke and carbon monoxide detectors must be 10 years old or less. (check the dates)

- **Smoke detector** required within close proximity to any sleeping rooms and in ALL bedrooms.
- Hardwired smoke detectors must remain hardwired if originally built with hardwired. Battery operated may remain battery operated.
- 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 ALL bedrooms and within 10 feet of door.
- Carbon monoxide detectors may be a combo unit with the smoke detector, battery operated wall mounted unit, or a plug-in style unit.

Interior	
<p>Walls and ceilings</p> <ul style="list-style-type: none"> ○ In good repair ○ Free from holes ○ Free from water damage 	<p>Doors</p> <ul style="list-style-type: none"> ○ Secure ○ Fits frame ○ Proper hardware ○ Weather tight and rodent proof
<p>Floors</p> <ul style="list-style-type: none"> ○ In good repair ○ No holes ○ Structurally sound ○ No trip hazards (i.e. torn carpet) 	<p>Bedrooms rooms/sleeping rooms</p> <ul style="list-style-type: none"> ○ Proper egress and/or door open to the outside required ○ Floor space shall be no less than 70 square feet with a 7 feet minimum width ○ Proper light and ventilation ○ No gas-powered appliance within shared space with a bedroom
<p>Hallway/landing</p> <ul style="list-style-type: none"> ○ Clear pathway ○ Handrails/guardrails securely attached ○ Continuous guardrails required on open sides of landings/stairways 30 inches or more above grade ○ Grippable handrails ○ Floor covering should be intact and secured to floor 	<p>Windows</p> <ul style="list-style-type: none"> ○ No broken/cracked glass ○ Easily openable ○ Capable of being held in position by window hardware ○ Openable windows must have screens in good repair (no holes or rips) ○ Weather tight ○ Window frame must be free of cracked, chipped, peeling, chalking, or flaking paint and caulk and biological growth
<ul style="list-style-type: none"> ○ Occupancy ○ Cellars/crawlspace shall not be used as habitable space ○ Basements must meet all permit construction requirements for light, ventilation, egress, etc. prior to being used as habitable space ○ Adequate hot and cold running water must be provided to all sinks and tubs ○ All household drains must connect to sanitary sewer 	<p>(Occupancy cont.)</p> <ul style="list-style-type: none"> ○ Waste lines must be properly installed, “S” traps not allowed, no flexible style waste lines ○ Hand held showers must have backflow prevention or shorten line to 1-1/2 inches above spill line ○ No leaking faucets or pipes ○ Unused gas lines must be capped ○ All pipes must be free from defects and obstruction and properly secure and supported

<ul style="list-style-type: none"> ○ Fire protection ○ Storage of paint, paper, boxes, rags or other combustible/flammable material not allowed within 10 feet of gas fire appliances (furnaces, water heaters, etc.) ○ Path of egress shall not be blocked by debris, storage, trash, snow, ice or other obstruction ○ All stairways require continuous, grippable handrails 	<p>(Fire protection cont.)</p> <ul style="list-style-type: none"> ○ Building with three or more units require fire extinguishers ○ All smoke detectors shall be installed to requirements with working batteries and functional connections (must be 10 years old or less) ○ Locate at least one smoke detector on each level, not including crawl spaces and uninhabitable attics
<p>Kitchen</p> <ul style="list-style-type: none"> ○ Hot (120 degrees) and cold running water ○ Kitchen sink must be properly connected to sanitary sewer ○ Kitchen must NOT be used for sleeping purposes ○ No dripping faucets or drains ○ Drains must function properly, free of obstructions, and installed per code ○ Cabinets must be in good repair ○ Supplied or provided appliances must be in good working condition ○ Gas appliances must be connected properly with approved fittings/connectors ○ Freestanding ovens must be installed with anti-tip brackets 	<p>Bathroom</p> <ul style="list-style-type: none"> ○ A tub or shower properly installed, maintained and in good repair with caulking intact ○ A washbasin properly installed, maintained and in good repair with caulking intact. ○ Properly installed toilet with all components intact and properly secured, maintained and functioning, sealed at base ○ Faucets must have a minimum one inch gap above the spill line ○ Bathroom cabinets must be in good repair ○ No leaking faucets or drains ○ Water-impervious flooring ○ Either an openable window or mechanical venting required ○ Hot and cold running water required to each fixture ○ Handheld shower heads equipped with backflow preventers
Electrical, mechanical and plumbing	
<p>Electrical</p> <ul style="list-style-type: none"> ○ Adequate service and outlets ○ Properly installed service panel with a 36inch clearance space ○ Fixtures must be intact and properly functioning ○ Extension cords cannot be used in lieu of permanent wiring ○ Cover plates required on all outlets, switches and junction boxes ○ All wiring must be intact and properly maintained 	<p>Mechanical</p> <ul style="list-style-type: none"> ○ Heating appliance must be properly installed and maintained ○ Temporary heating devices shall not be used as primary source of heat ○ Fuel burning appliance must be connected to an approved chimney, flue or vent ○ You may be required to provide service records of any heating system ○ Dryer venting with solid pipe and foil taped at seams
<p>Plumbing</p> <ul style="list-style-type: none"> ○ Faucets must be a minimum one inch above spill lines on all fixtures ○ All plumbing must be installed and maintained to code (saddle valves are not permitted) 	<p>(Plumbing cont.)</p> <ul style="list-style-type: none"> ○ Gas flex connectors must be Underwriters Laboratory (UL) listed and approved ○ Water softener discharge hoses must maintain 1-1/2 inch air gap at discharge point ○ Exterior spigots equipped with backflow preventers

○ Exterior	(Exterior Cont.)
<ul style="list-style-type: none"> ○ Windows and doors ○ Bug and rodent proof ○ Weather-tight ○ Working hardware ○ Free of defects - no torn/ripped screens 	<ul style="list-style-type: none"> ○ Walls – exterior ○ Soffit and fascia in good repair ○ House numbers in front (visible from public way) ○ Siding is weather tight and intact
<ul style="list-style-type: none"> ○ Paint ○ Wood surface weather protected ○ No peeling, chipping, caulking, flaking or other deteriorated paint 	<ul style="list-style-type: none"> ○ Foundation ○ Structurally sound ○ Free of holes or gaps ○ Proper grading
<ul style="list-style-type: none"> ○ Roof ○ Free of leaks ○ Structurally sound ○ No loose or missing shingles 	<ul style="list-style-type: none"> ○ Gutters and downspouts (pertains to existing) ○ Good condition ○ Properly attached and drain water away from structure
<ul style="list-style-type: none"> ○ Chimney ○ Tuckpointing/mortar in good repair ○ Flue liner in good repair 	<ul style="list-style-type: none"> ○ Porch/decks ○ Good repair and structurally sound. ○ No peeling, chipping, flaking or other deteriorated paint or stain. ○ Deck guardrails must be able to sustain a 200-pound force ○ Guard railings required if over 30inch above grade

Updated 09-08-2022

Article XI. – rental housing city code
[Rental Housing Maple Grove city code link](#)

ARTICLE XI. - RENTAL HOUSING^[7]

Footnotes:

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Editor's note— Ord. No. 19-07, § 1, adopted Oct. 7, 2019, repealed the former Art. XI, §§ 10-341—10-358, and enacted a new Art. XI as set out herein. The former Art. XI pertained to similar subject matter and derived from: Code 1984; Ord. No. 11-08, § 1, adopted Oct. 17, 2011; Ord. No. 13-14, § 1, adopted June 3, 2013; Ord. No. 13-15, §§ 1, 2, adopted June 3, 2013; and Ord. No. 14-01, § 1, adopted May 19, 2014.

Sec. 10-341. - Purpose and intent.

- (a) The purpose of this article is to protect the health, safety and 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 of Maple Grove ("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 the health and safety of occupants of rental units.
 - (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. 19-07, § 1, 10-7-2019)

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. 19-07, § 1, 10-7-2019)

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 and economic development or their designee, including, but not limited to, the housing inspector.

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 their 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. For purposes of this section, a single dwelling 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.

Fee schedule means the city's fee schedule adopted annually by ordinance and on file with the city clerk.

Housing inspector means compliance official or their designee, which has the same meaning as "code official" as used in the International Property Maintenance Code adopted by reference through this article and city Code chapter 8, article V, Property Maintenance Code.

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

Licensee means the holder of a rental license granted by the city pursuant to this article.

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

Operator means the owner or their 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 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.

Provisional licensure or provisional license means an interim or temporary license which permits the operation of a rental unit until such conditions provided by the compliance official are met.

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 includes, but is not limited to, money, services, or a combination thereof, or shared living expenses.

Rental license means the permit from the city issued by the compliance official to indicate approval of the activity of operating a rental unit.

Rental unit means a dwelling or portion thereof let for rent.

Revoke means to rescind permission granted by the city to operate a rental unit by cancellation of the 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.

Tenant means any adult person granted temporary use of a rental unit in exchange for rent payable to the owner of the rental 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. 19-07, § 1, 10-7-2019)

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

- (a) No person shall operate a rental unit without first having obtained a rental license or provisional 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 1 prior to the license expiration date.
- (b) *Exceptions.* The provisions of this article XI do not apply to and a rental license is not required for:
 - (1) Dwellings occupied by an immediate relative. For the purpose of this exemption, relative shall be defined as a spouse, partner, parent, step-parent, child, step-child, grandparent, grandchild, sibling, uncle, aunt, nephew, and niece. The compliance official may require sufficient written proof from the owner stipulating the relationship and living agreements.
 - (2) Hospitals, nursing homes, assisted living, memory care, or other institutional facilities used for human habitation where medical or mental health treatment services or both are provided and licensed by state or federal agencies concerning the safety of the users or patients.
 - (3) Student dormitories, parsonages, parish houses, nunneries, monasteries, manses and rectories.
 - (4) Residential property that has been sold by contract for deed if the buyer occupies the property and the sale document used to memorialize the sale is a Minnesota uniform conveyancing form or is recorded with the county recorder's office and a copy is provided to the city upon request.
- (c) When more than one apartment building containing rental units exists on one premises or parcel, a separate license shall be required for each building.
- (d) In an apartment building, a single license shall be issued for all of the rental units in that building unless the dwelling unit is a condominium.
- (e) 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. 19-07, § 1, 10-7-2019)

Sec. 10-345. - Application for license.

- (a) License application or renewal under this article shall be made by the owner of the rental unit 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 compliance official immediately if they change their residential address and/or P.O. Box.

(Ord. No. 19-07, § 1, 10-7-2019)

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 their 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: (1) receive service of notice of violation of the provisions of the city ordinances, (2) receive orders and to institute remedial action to effect such orders, and (3) accept all service of process pursuant to law. The compliance official shall be notified in writing of any change of the resident agent within ten days.

A nonresident owner must maintain a resident agent at all times. If, upon discovery, a nonresident owner of rental units no longer has a resident agent or has not notified the compliance official of changes of resident agent, the license may be subject to provisional licensure, until such time as the non-compliance has been remedied, or revocation.

(Ord. No. 19-07, § 1, 10-7-2019)

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

The city shall not issue or renew a license under this article unless the rental unit and its premises conform to the ordinances of the city. The city shall require an inspection of the proposed 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 by the compliance official 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. 19-07, § 1, 10-7-2019)

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 their 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 their 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 their control for such inspection, or refuses to be present during any such inspection when requested by the compliance official, the compliance official may immediately deny the application for a new or renewal rental license on the basis of 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 undertake any of the following remedies: securing an administrative search warrant for the property, provisional licensure, license revocation, or may pursue any such other remedies provided by law and equity.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-349. - Self-inspection and property maintenance.

Owners of licensed rental property must have a self-inspection procedure applying the chapter 8, article V, Property Maintenance Code, with written documentation of inspections completed for all units occurring: (1) before a new tenant moves in, (2) when an existing tenant moves out, and (3) at least once every 12 months at a minimum. In addition, owners of licensed rental multi-family buildings must have in place a preventative maintenance program to include a self-inspection procedure with written documentation of inspections completed as described above and cleaning and safety inspections occurring at a minimum of once a week for common areas of the interior and exterior of the property. Documentation of the self-inspection procedure and related records shall be made available upon request by the compliance official.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-350. - Occupancy limits and subletting.

An owner may adopt standards that reduce the maximum occupancy of a dwelling unit from the standards set forth herein. The maximum permissible occupancy of any licensed rental unit is determined according to the property maintenance code. However, no one may lease a licensed rental unit to more than one household, as defined in city Code § 36-3.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-351. - License and administrative fees.

- (a)
 - (1) The amount of license fees shall be as set forth in the city's fee schedule. 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.
 - (2) Rental units owned or under the control of the city must be licensed, but are exempt from paying license fees.
 - (3) License fees for renewals of licenses under this article shall be due on December 1 immediately prior to the license expiration date. The license fee shall increase as set forth in the city's fee schedule when an application for renewal is received more than 30 days after it is due.
- (b) If the applicant has an outstanding judgment against them arising from a lawsuit initiated by the City of Maple Grove related to the enforcement of this Code, the applicant is required to satisfy that judgment before the city will issue a license.
- (c) The licensee shall not be entitled to a refund of any license fee upon revocation 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 compliance official 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. 19-07, § 1, 10-7-2019)

Sec. 10-352. - Issuance of license/provisional license.

- (a) The compliance official shall examine or cause to be examined applications for licenses within a reasonable time after receipt. The compliance official may issue or renew a license upon satisfaction of the following conditions:
 - (1) The license applicant has completed the rental license application;

- (2) The license applicant has paid the required license fee and any additional fees, if applicable;
- (3) For all initial license applications or renewal applications, the unit must pass an inspection to determine whether the requirements of this article, city Code, and other applicable state laws have been met;
- (4) The license applicant has provided all relevant documentation that the compliance official is entitled to review under this article;
- (5) The compliance official is satisfied that all applicable requirements under this article, the city Code, or other state laws are met, including but not limited to a determination that the requirements of subsection 10-356(a) do not require denial of the 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 10-357.

- (b) The applicant shall have a maximum of 60 days to complete all requirements for a rental license after receipt of the application for license by the city, or the city may deny the application. In the event the applicant requires additional time to conform to this article, the city, at its discretion, may allow the applicant additional time to bring the property into compliance. Any request for an extension of time shall be in writing. The city may consider reasons including, but not limited to, weather or complexity of a required improvement.
- (c) *Provisional licensure:*
 - (1) The compliance official may issue a provisional license to an owner/applicant who has submitted an initial or renewal application, paid the license fee, and received an initial inspection resulting in written orders to correct violations that do not prevent occupancy. A provisional license authorizes the continued occupancy of the rental unit in existence at that time, pending issuance of a rental license. A provisional license is valid until a license is issued, but for no longer than 60 days, or it is determined that the license requirements have not been met and the city will not issue a license and will deny the application.
 - (2) The compliance official may change an existing license to a provisional license when the inspector has conducted an inspection resulting in written orders to correct violations that do not prevent occupancy. A provisional license authorizes the continued occupancy of the rental unit in existence at that time, pending issuance of a rental license. A provisional license is valid up to 60 days until a license is issued or if it is determined that license requirements have not been met and the city will revoke the license.
 - (3) In lieu of license revocation, the compliance official, in their sole discretion, may change an existing license to a provisional license due to violations of this article by the owner or their agents under conditions deemed satisfactory by the compliance official.
 - (4) An owner aggrieved by the decision of the compliance official to change an existing license to a provisional license may appeal the decision as provided in section 10-357.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-353. - Posting of license.

The owner shall conspicuously post the rental license in any dwelling operated as a rental unit. For all multi-family housing, the owner shall conspicuously post the rental license in an interior common area of the building for which the license has been issued, unless the building has no interior common area, in which case, the owner shall post the rental license in the area most likely viewed by tenants.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-354. - Transfer of license.

- (a) A license issued pursuant to this article is for the property owner and the premises named on the approved license application. No license under this article shall be transferable to another person or entity or to another rental unit, except as follows:
- (1) When an existing licensee is merely changing a business or corporate name but not the underlying ownership or control of the property or rental business.
 - (2) When an existing non-corporate licensee is incorporating and the incorporation does not affect the ownership or control of the property or rental business.
 - (3) The licensee is deceased, the licensee's estate is in probate, and the licensee had an active license at the time of their death, and had a tenant. Upon proof by the executor of the estate of the foregoing, the license will be transferred to the estate, with the executor assuming the responsibility as applicant, owner, and licensee under this article.
 - (4) The licensee is deceased, the licensee had an active license at the time of their death, and the spouse/partner of the licensee has an ownership interest in the property. Upon proof of ownership, the license will be transferred to the spouse/partner.
- (b) 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 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. 19-07, § 1, 10-7-2019)

Sec. 10-355. - License renewal.

The compliance official will consider applications for license renewals in the last quarter of the calendar year in which the licenses are set to expire. The deadline to renew an expiring license is December 1 of each calendar year preceding the licenses' expiration on December 31. If an owner or operator does not apply and pay the renewal fee by December 1, the compliance official will send a letter to the tenants of the rental unit notifying the tenants that the license will expire on December 31 and that the owner's use of the dwelling as a rental unit may be subject to an action by the city to enforce this article and prohibit the dwelling's use as a rental unit. If the license is not renewed by December 31 and the compliance official has reason to believe it is still being occupied as a rental unit, the compliance official will notify the tenant by letter that it is not licensed and the owner's use of the dwelling as a rental unit is subject to an enforcement action under this Code.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-356. - Denial, provisional licensure, revocation, or non-renewal of license.

- (a) The compliance official may deny a rental license application, provisionally license, revoke, or decline to renew any rental license issued under this section. In buildings containing more than one rental unit, the denial, provisional licensure, revocation, or non-renewal may apply to one or more rental units at the discretion of the compliance official. The basis for such denial, provisional licensure, revocation, 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 their 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 owner's current or previous operation of the property as either a licensed or unlicensed rental property creates or has created a danger to the public health, safety or welfare of current tenants or occupants, future tenants or the general public.
 - (6) The owner's current or previous operation of the property as a rental property reasonably indicates that the owner's operation of the property will not conform to the standards of this Code.
 - (7) The rental unit contains conditions that might injure or endanger the safety, health or welfare of any member of the public.
 - (8) Failure to pay any application, penalty or reinstatement fee required by this section and city council resolution.
 - (9) 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.
 - (10) 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.
 - (11) Failure to continuously comply with any condition required of the applicant for the approval or maintenance of the license.
 - (12) Any violation of this article.
 - (13) Failure to conduct criminal background checks of tenants as required by city Code subsection 10-363(c).
 - (14) Failure to include the crime-free multi-housing addendum in all leases as required by city Code subsection 10-363(e).
 - (15) Failing to provide a written disorderly use report when required by city Code subsections 10-363(f)(4) or (5).
 - (16) The third instance of disorderly conduct at the rental unit under city Code subsection 10-363(f).
 - (17) 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 10-363(b).
 - (18) Applicant/licensee is convicted of unlawful ouster or exclusion under Minn. Stats. § 609.606.
- (b) If a license is denied or not renewed by the compliance official pursuant to this section, after no more than 30 days, it shall be unlawful for the owner to thereafter permit any occupancy of a rental unit until such time as a valid license has been restored by the compliance official.
 - (c) If a license is revoked by the compliance official pursuant to this section, after no more than 30 days, it shall be unlawful for the owner to thereafter permit any occupancy of a rental unit until such time as a valid license has been restored by the compliance official and/or a reinstatement fee has been paid by the owner as set forth in the city's fee schedule.
 - (d) If a license is revoked by the compliance official pursuant to this section, the owner is not entitled to a forfeiture or refund of any of the license fees.
 - (e) Any owner aggrieved by the decision of the compliance official to deny, provisionally license, revoke, or decline to renew any rental license shall have the right to appeal such decision to the city council in accordance with section 10-357.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-357. - Right of appeal.

Any owner aggrieved by a decision of the compliance official taken pursuant to subsection 10-356(a) may appeal that decision to the Maple Grove City Council. Such appeal must: (1) be in writing, (2) specify the grounds for the appeal, (3) be accompanied by a filing fee as set forth in the city's fee schedule in cash or cashier's check, and (4) be filed with the compliance official within ten business days after personal or e-mail service on the owner or registered agent of any written notice, order, non-renewal, denial, or revocation 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. 19-07, § 1, 10-7-2019)

Sec. 10-358. - 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 action or decision of the compliance official. The city council may affirm the decision to deny, provisionally license, revoke, or not renew a license if any of the grounds in subsection 10-356(a) supporting an adverse decision are met. 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.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-359. - Posting to prevent occupancy.

The compliance official may post a notice on a rental unit to prevent occupancy whenever a rental unit has no license; has been denied an initial license; had its license revoked, denied, or not renewed; or the unit has been declared unfit for occupancy. No person, other than the compliance official may remove or alter any posting. The compliance official will post the date the rental unit must be vacated and no person may reside in, occupy, or cause to be occupied that rental unit until the compliance official permits it.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-360. - 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 provisions and requirements of that section or subsection shall remain in full force and effect.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-361. - Penalties and civil enforcement.

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 appropriate signs or notices on the rental unit prohibiting occupancy, and may act to cause the rental unit to be vacated or remain vacant until any violations are corrected.

In order to ensure compliance with this article, the compliance official may pursue any remedy at law or equity, including, but not limited to, securing injunctive relief to prohibit an individual from renting without a license or otherwise renting in violation of this article or from operating a property as a rental unit when it would create a danger to the public health, safety or welfare, or, otherwise, be in violation of this article.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-362. - No retaliation.

No licensee shall evict, threaten to evict, or take any other punitive action against any tenant by reason of good faith calls made by such tenant to: (1) the compliance official regarding a licensee's compliance with this article; or (2) law enforcement agencies relating to criminal activity, suspected criminal activity, suspicious occurrences, or public safety concerns. This section shall not prohibit the eviction of tenants for unlawful conduct of a tenant or invitee of the tenant or violation of any rules, regulations, or lawful lease terms.

(Ord. No. 19-07, § 1, 10-7-2019)

Sec. 10-363. - 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 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. This section, the crime free rental housing ordinance, applies to initial license applicants, renewal license applicants, licensees, and provisional licensees.

(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, or their agent or operator, other residents, neighbors, or other third party, or involving imminent or actual serious property damage, or an activity that constitutes one of the enumerated instances of disorderly conduct in subsection (f)(1) of this section.

Drug-related criminal activity means the illegal manufacture, sale, distribution, use, or possession with or without intent to manufacture, sell, distribute, or use 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 spaces, accessory structures, or other structures that are 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, 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; and
 - (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 the full name, date of birth, and the most current phone number available for each tenant or other lawful occupants. The tenant register along with proof of background check(s) must be available for review by the city upon request.

The city takes no position on how the owner or operator of a rental unit shall utilize the background check information. It is not the intention of the city to intrude into the decision-making of the owner or operator of a rental unit as to prospective tenants.

- (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 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: (1) there is a violation of the crime-free/drug-free lease addendum required by subsection (e), or (2) 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 as set forth in the city's fee schedule.
- (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, a guest or other person affiliated with tenant shall not engage in criminal activity, including drug-related criminal activity, as defined in City of Maple Grove City Code § 10-363(b), 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, as defined in City of Maple Grove City Code § 10-363(b), 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, as defined in City of Maple Grove City Code § 10-363(b), 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.
 - (4) A copy of any and all leases and lease addendums subject to an active rental license under this article shall be made available upon request by the city.
- (f) *Conduct on rental property.*
 - (1) *Disorderly conduct.* It is the responsibility of the owner or operator to ensure that persons occupying a rental unit, 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. Obscenity crimes, as defined by Minnesota Statutes §§ 617.23, 617.241, 617.246, 617, 247.
- j. Assault, as defined by Minnesota Statutes §§ 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 Minnesota Statutes §§ 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 Minnesota Statutes § 609.595.
- n. The unlawful sale or possession of small amounts of marijuana in violation of Minnesota Statutes § 152.027, Subdivision 4.
- o. The unlawful possession or use of drug paraphernalia in violation of Minnesota Statutes § 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).
- u. Minnesota Statutes §§ 609.342—609.3451 (criminal sexual conduct).
- v. Minnesota Statutes § 609.582 (burglary).
- w. Minnesota Statutes § 609.749 (stalking).
- x. Minnesota Statutes § 609.605 (trespassing).
- y. Minnesota Statutes § 609.52 (theft).
- z. Minnesota Statutes § 609.52 (possession of stolen property).
- aa. Minnesota Statutes § 609.495 (aiding an offender).
- bb. Minnesota Statutes § 609.546 (motor vehicle tampering).

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, or where there is a report of "criminal sexual conduct" as defined in Minn. Stats. §§ 609.342—609.3451 between "family or household members"; 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 provisionally licensured, revoked, or not renewed pursuant to city Code section 10-356. Any strikes previously issued to a rental unit shall be exonerated if: (1) the tenant occupying the rental unit at the time the strikes were issued vacates the rental unit, (2) the vacating tenant does not relocate to another rental unit owned by the owner or operator, and (3) 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 provisionally licensured, revoked, or not renewed pursuant to city Code section 10-356. Any strikes previously issued to a rental unit shall be exonerated if: (1) the tenant occupying the rental unit at the time the strikes were issued vacates the rental unit, (2) the vacating tenant does not relocate to another rental unit owned by the owner or operator, and (3) 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: (1) during the pendency of eviction proceedings (unlawful detainer); or (2) within 30 days of notice given to a tenant to vacate the premises due to the disorderly conduct of that tenant or by 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.

(Ord. No. 19-07, § 1, 10-7-2019)

Secs. 10-364—10-410. - Reserved.