

CHISAGO COUNTY SHORT-TERM RENTAL LICENSING ORDINANCE

A. Statutory Authorization and Policy.

1. This ordinance is adopted pursuant to the Minnesota Statute Sections 145A.05 and 375.51
2. This ordinance adopts by reference the provisions of Minnesota Statutes, Chapters 145A, 157, 327 and Sections 375.51-375.55, and Minnesota Rules 4625.0100 – 4625.2300, inclusive relating to lodging establishments, including all subsequent amendments thereto.

B. Purpose, Intent and Objective

1. This Ordinance establishes a licensing program for short-term rentals.
2. It is the intent of this ordinance to continue the allowed use of private vacation rental homes, but also mitigate possible adverse impacts to health impacts to health, safety, welfare and quality of life of surrounding properties, as well as water and environmental quality, through the establishment of a licensing program for the review and approval of short term vacation rental unit operations.
3. It is the objective of this ordinance to establish and enforce standards for the licensing of short-term rentals that strike a balance between protecting homeowners' private property rights; enhancing localized economic activity and tourism; preserving the residential integrity of neighborhoods; and promoting and protecting the health, safety, and wellness to the citizens and patrons of short term rentals.

- C. **Definitions.** Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted to give them the same meaning they have in common usage and to give this Ordinances it's most reasonable application.
1. **“Owner”** means the property owner of record of the real estate located in Chisago County.
 2. **“Owners Authorized Agent”** means a person who has written designation to act on behalf of the owner as placed on record and supplied as part of the application process.
 3. **“Parcel”** means a unit of real property that has been given a parcel identification number maintained by the County. For purposes of this ordinance multiple contiguous parcels in single ownership shall be considered a single parcel.
 4. **“Short Term Rental Unit”** means any home, cabin, condominium or similar building that is advertised as, or held out to be, a place where sleeping quarters are furnished to the public on a nightly, weekly, or for less than a 30-day period and is not a bed and breakfast, resort, hotel or motel, or other permitted venue as determined by the County.

D. **General Provisions**

1. **Severability.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
2. **Jurisdiction.** The provisions of this Ordinance apply to all areas, incorporated and unincorporated, within the boundaries of Chisago County.

E. **Annual License Required**

1. No Short-Term Rental may be operated without a valid Short-Term Rental license issued pursuant to this Ordinance.
2. All existing Short-Term Rental operations as of the enactment date of this Ordinance shall be licensed by the County within six months from the effective date of this ordinance.
3. All new Short-Term Rental operations as of the enactment date of this Ordinance shall obtain a license from the County prior to commencing operations.
4. All Short-Term Rental licenses are an annual calendar year license and must be renewed in January of each year. License renewal applications for rental

operations in the following year must be submitted prior to any rental activity.

5. The Owner or Owner's Authorized Agent shall, upon request of the Chisago County Environmental Services Department, permit access to the property and all permitted units at any reasonable time for the purpose of inspection upon request of Chisago County.

F. License Application Requirements.

1. **Application Requirements.** The following information shall be provided to the County on the Short-Term Rental license application:
 - i. The name, mailing address, email address and telephone number of the owner of the Short-Term Rental home for which the license is to be issued;
 - ii. Physical address and parcel identification number, zone district and description of the property on which the Short-Term Rental is operated
 - iii. The name, address, telephone number and email address of Owner and Owner's Authorized Agent for the Short-Term Rental who is available 24 hours a day;
 - iv. Proof of non-revocable property liability insurance coverage suitable for the commercial liability coverage of the Short-Term Rental operation during the term of the license;
 - v. Demonstration that the Short-Term Rental operation has a license issued by the Minnesota Department of Health or written certification from the property owner that states that a license is not required from the State of Minnesota and the reasons;
 - vi. Proof of no past due property taxes on the property described in the license application; and
 - vii. All other information that is requested on the Short-Term Rental License Application.
2. **Application Process.** Applications for Short-Term rental operation licenses may be obtained at www.chisagocounty.us .

Once the application is received along with all required supplemental information and payment of fee, Chisago County will determine completeness of the application and issue or deny the license in accordance with timelines established under Minnesota Statute 15.99, (60 days) during

which time the county may contact the Owner or Owner's Authorized Agent for additional information. If the license is denied, a letter will accompany the denial explaining the reasons for the denial, and the Owner or Owner's Authorized Agent may reapply once the conditions surrounding the application denial are corrected.

G. General Regulations

1. Septic/Solid Waste

- i. The short-term rental must be connected to an approved SSTS or served by a central sanitary sewer system. Holding tank only systems are not a qualifying SSTS for short-term rental units.
- ii. Copy of a valid Certification of Compliance, which is a certificate that was issued on a new SSTS installed within the past 5 years OR a copy of a compliance inspection form which was performed within the past 3 years shall be provided with annual license application. Additionally, the Owner or Owner's Authorized Agent must provide documentation that the septic is sized appropriately for the advertised occupancy.
- iii. At least once every three (3) years thereafter the Owner or Owner's Authorized Agent shall provide an updated certificate of SSTS compliance showing that the system is compliant for the number of bedrooms indicated and the advertised occupancy in the application.
- iv. The storage, collection and disposal of refuse and garbage shall be in accordance with the Chisago County Solid Waste Ordinance. All garbage, trash and refuse shall be removed from the premises frequently to prevent nuisance and unsightly conditions, and shall be disposed of in a sanitary manner. All garbage receptacles shall be kept clean and in good repair. All refuse and garbage storage shall be kept in fly-tight, watertight rodent-proof containers. Recycling services shall be required.
- v. Garbage, refuse, and recycling containers shall be stored within a building or screened and secured enclosure. The Owner or Owner's Authorized Agent of the rental unit shall provide sufficient garbage, refuse, and recycling containers and service to accommodate the demand of the occupants.

2. Occupancy

- i. The overnight occupancy of a short-term rental shall be limited to no more than two (2) persons per bedroom plus two (2) additional persons

per principal building, or no more than the subsurface sewage treatment system is designed to handle, whichever is less. The maximum occupancy allowed by license shall be conspicuously displayed within the rental unit.

- ii. Use of recreational vehicles, tents, RV's, accessory structures or fish houses to obtain additional occupancy is prohibited. Use of said vehicles or structures for overnight or sleeping accommodations occupancy is prohibited.
- iii. Licensee shall not advertise the property as containing any more than the number of bedrooms and maximum occupancy on the license.
- iv. Licensee shall not advertise the property as available to more guests than the occupancy limit identified on the license.
- v. No more than one short term rental license will be issued per parcel. More than one (1) short-term rental on the same parcel or on contiguous parcels under common ownership shall constitute a resort and are not permitted under this licensing ordinance.

3. Registration of Guests

- i. The Owner or Owner's Authorized Agent shall keep a registration report, detailing use of the home by recording the full name, address, phone number and vehicle license number and the state the vehicle is registered of guests using the property. Such report shall be kept in an accurate and orderly manner, retained for one year, and provided to the Environmental Services Department upon request. The registration report records of the current rental occupants shall be open to the inspection of all state and local law enforcement officers in real time at the property upon request.
- ii. Every guest at a short term rental shall furnish the Owner or Owner's Authorized Agent operating the short term rental the information necessary to complete registration report information.

4. Noise

- i. Quiet hours are between the hours of 10 pm and 8 am at which time indoor and/or outdoor activity audible from property boundaries must not be carried on beyond a general conversation level in a manner that disturbs the peace. The Owner or Owner's Authorized Agent of the short-term rental is expected and required to enforce this rule. Failure to do so may result in enforcement actions provided in section I.

- ii. License issuance conditions may be placed and/or modified during the license period to reasonably prohibit defined outdoor activity conducive to or deemed in violation of quiet hour periods or causing direct and excessive noise disturbance to adjacent occupied property. Conditions may include but not be limited to privacy fencing, screening, further limited hours, or relocation of site features/gathering spaces conducive to unreasonable noise disturbance.

5. **Parking and Site Use**

- i. Parking cannot restrict access by emergency vehicles or the traveling public and shall not impeded the ingress or egress of the property.
- ii. Parking shall be accommodated completely on site in designated improved spaces. Parking and/or vehicle storage shall not occur in or on yards, Blvd.'s, septic system, or other green spaces.
- iii. The owner shall provide a visual demarcation of the property lines. Where property lines are disputed, the Owner or Owner's Authorized Agent shall cause a licensed surveyor to conduct property line location and survey services.
- iv. On premise advertising signs are prohibited.
- v. Outdoor loitering gathering spaces and the like (patio areas, fire pits, lawn games) must be located in a manner that minimizes direct noise disturbance of adjacent occupied property and is considerate of neighbors.

6. **Conformance with Existing Regulations.** Short-Term Rental operations shall conform to all existing standards listed in Minnesota Statutes and Rules and County Ordinances. Short-Term Rental operations shall conform to all City and Township Ordinances, if so enacted, and may be further restricted or prohibited as so determined by a host City or Township.

This ordinance does not ensure compliance with Minnesota State Fire Code or Department of Health rules. It is the responsibility of the Owner and Owner's Authorized Agent to comply with all local, state and federal laws beyond that of this ordinance and to disclose such compliance to all renters during the time of occupancy.

7. **Property Contact and Emergency Information**

- i. The Owner or Owner's Authorized Agent shall keep on file, with the county, and shall notify each renter and each adjacent land owner, in

writing, of the contact information for the Owner or Owner's Authorized Agent who shall be available 24 hours a day, seven (7) days a week, whenever the property is being rented for short-term rental purposes. The Owner or Owner's Authorized Agent shall respond to any issue or complaint raised from a notified party within three (3) hours of any such point of contact.

- ii. The Owner or Owner's Authorized Agent shall provide to each renter in a form that is readily retained and posted on site information identifying maximum occupancy, emergency contact information (police, fire, hospital, and septic tank pumper), rental unit address, and operational guidelines and rules including proof of license and license obligations, conditions, and restrictions. Said information and postings shall be deliverable and viewable on site on demand to County inspectors and officials. The rental unit address shall be readily retained and/or posted inside the rental unit and clearly posted outside in a manner that is visible from the street.

8. **License Fees.** License fees will be established by the Chisago County Board of Commissioners.

9. **Minnesota Department of Health License.** It is the Owner or Owner's Authorized Agent responsibility to contact the MDH about lodging licensing requirements and provide proof of MDH license if so required.

10. **License Non-Transferrable.** The short-term rental license shall not be transferrable upon any change in ownership of the licensed property, or otherwise.

H. **Enforcement Penalties and Fines.**

1. **Enforcement.** The Environmental Services Department shall investigate all complaints of this Ordinance, notify the Owner or Owner's Authorized Agents and complainants within a reasonable period of time and direct the Owner or Owner's Authorized Agent to correct violations within a reasonable period of time. Any complaints substantiated and not resolved with the Owner or Owner's Authorized Agent will result in enforcement action. If compliance is not obtained within the time period specified, or if three (3) substantiated complaints occur within the license period, then the license shall be subject to revocation as determined by Director of the Environmental Services Department.

2. **Penalties.**

- i. Violations of this ordinance shall be deemed a misdemeanor. Any Owner or Owner's Authorized Agent who violates disobey, omit, neglect, refuse

to comply with, or who resist enforcement of any of the provisions of this Ordinance may be subject to the forfeiture of their license. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. All forfeitures for violations shall be paid to the County and credited toward the General Revenue Account.

- ii. False Report. Any person who knowingly makes a false report to the County of a violation of this article by another is guilty of a misdemeanor.

I. Appeals

- 1. **Administrative Appeal.** Appeals from any order, requirement, decision or determination made by the Environmental Services Department or other authorized Chisago County agent shall be first made in writing to the County Administrator. Written appeals shall be directed to the County Administrator within 14 days of the subject order, requirement, decision, or determination so appealed.
- 2. Appeals from the decisions of the County Administrator must be made to the Chisago County District Court within 30-days from the receipt of notice of the decision.

J. Adoption

The Chisago County Short-Term Rental Licensing Ordinance is adopted by the Chisago County Board of Commissioners on this _____ day of June, 2020.