Rental License Application
Single Family Homes and Multi-Unit Dwellings
Please complete entire application
(All Rental License Expires December 31)

Important Information

As Owner or Manager of the property, I certify that the listed information is correct. I understand that if my tenant at anytime does not stay current with their Sartell Utility Bill, I will be responsible for payment in full of that utility bill. I understand that rental units cannot be occupied without a rental license.

Section 1

Rental Property
Address: _____ Property Identification Number (PIN) _____

Number of Rental Units: _____ Name of Apartment Complex _____

Section 2

Owner Information

Owner Name of Chief Operating Officer _____
First Last

Owner's Address _____

City _____ State & Zip Code _____

Phone _____ E-Mail _____

Section 3

Person Responsible for Maintenance & Management of This Rental Property

Name of Property Manager _____

Address _____

City _____ State & Zip Code _____

Phone _____ E-Mail _____

Type of Rental Housing

_____ Single family unit – not owner occupied.
_____Number of bedrooms

____ Single family unit –owner occupied (living unit shared by owner and renters.
_____Number of bedrooms

____ Number of Sleeping rooms in ____duplex ____ triplex _____ Other
Is any part owner occupied? If yes, what parts? _____
Number of rented bedrooms per unit _____

____Apartment Complex
_____Number of units _____ Number of handicapped units
Number of _____1 bedroom ___ 2 bedroom _____ 3 bedroom _____ other
_____Elevator _____ Sprinkler system _____ Number of stories

Number of off street parking spaces: _____

Applicants Signature _____ Date: _____

FEE: (See Page 3 Fee Schedule)

1st Unit
$_____ (A)

Additional units at $_____ each _____ units x _____ units = $_____ (B)

Total Fee $ _____ (A + B)

Annual renewal notices must be paid and in compliance by January 15th otherwise an administrative citation of $100.00 could be assessed.

Please return this application form along with the rental fee, copy of current Inspection compliance letter and a current copy of the Sartell Crimefree Multi-housing Phase 1,2, or 3 certificate to: Sartell Rental Licensing , Sartell City Hall, 125 Pine Cone Rd N, Po Box 140, Sartell, Mn 56377

If you have questions regarding the Sartell Crimefree Multi-Housing Program, please contact Officer Rob Lyon at 320-251-8186 or if you have other rental license questions, call Sartell City Hall at 320-253-2171.

For Office Use Only:

Date Received _____ Payment _____ Inspection Scheduled _____

Inspection Passed _____ Crime Free Certificate Included _____

Fee Schedule

The following **MUST** be submitted at the time of your application. If any of these items are not included, your renewal will be declined.

If your property **is not** a part of the Sartell Crime Free Multi-Housing 3 phase program

_____ Application completely filled out

_____ Annual fee payment of:

1st rental unit is	$102.00	Put in Field (A) on Page 2 of application
Each Additional Unit is	$51.00	Multiply number of units times $51.00 and place in Field (B) on Page 2 of Application.

_____ Fire Safety Inspection completed, if you have been contacted by the **Sartell Fire Marshal** that your property is required to complete an inspection this year. This is different than the crime free inspection that Officer Lyon requires. If this is your first time applying for this license, the Fire Inspector will require that you have your inspection completed and passed before any renter occupies the property.

If your property **is** part of the Sartell Crime Free Multi-Housing 3 phase program **(Meaning that you have taken the 4 hour crime free class AND have had Officer Lyon do a crime free inspection AND have had your renters attend the Crime Free Class with Officer Lyon.)**

_____ Application completely filled out

_____ Annual fee payment

_____ Fire Safety Inspection completed, if you have been contacted by the Sartell Fire Marshal that your property is required to complete an inspection this year. This is different than the crime free inspection that Officer Lyon requires.

1st rental unit is	$26.00	Put in Field (A) on Page 2 of application
Each Additional Unit is	$12.00	Multiply number of units times $12.00 and place in Field (B) on Page 2 of Application.

_____ Certificate of completion by the Sartell Police Department of the phase 3 paperwork. This certificate will need to be submitted with application to receive the reduced rate.

If you would like information on participating in the Sartell Crime Free Multi-Housing 3 phase program, please call Officer Rob Lyon with the Sartell Police Department at 251-8186.

Fire/Safety Inspections

Below is a list of common issues the Fire Marshal looks at when doing Fire/Life Safety Inspection on rental properties.

For Single Family Residential Homes:

1. Testing of in unit smoke detector-smoke detectors being taken down, batteries missing or disconnected. Must have a smoke detector on each floor, smoke detector in immediate vicinity of hallway leading to bedrooms and recommending installation of smoke detectors in all bedrooms in existing homes.
2. C/O detectors being present and operational (One detector must be located within 10 feet of all rooms used for sleeping on each floor).
3. Inspect all electrical, mechanical, plumbing equipment for any obvious problems/equipment failure. No use of extension cords allowed. Power strips allowed with surge protection device.
4. Inspect entire exterior of building, gas meters, electrical meters, lighting and dryer vents.
5. At least one fire extinguisher on property properly charged. (3-5 lb ABC rechargeable fire extinguisher is required).
6. Verify address numbers on property/building.
7. Update emergency contact information for the police/fire departments. Also update lists for fire department of any tenants that would need fire department assistance of exiting the building in case of an emergency.

For Multi Family Dwellings:

1. All above items
2. Verify testing within the past year of buildings fire alarm system, sprinkler system, RPZ backflow preventers, fire extinguishers, elevator and emergency lighting.
3. Verify and test the closing of all fire doors, check smoke gaskets on all fire doors, including apartment doors.
4. Verify signage on all doors & throughout entire building
5. Inspect all common areas, storage rooms, mechanical rooms, offices, equipment rooms and garages looking for any wall/ceiling penetrations, fire caulking issues, storage to close to sprinkler heads, checking condition of sprinkler heads, fire alarm devices & exit signage. Also address all life safety issues along with all egress out of the building.
6. Inspect signage, fire lane signage, striping of fire lane parking, fire hydrants, dumpster areas
7. Multifamily units may not store any type of grill on the patio, deck, attached/tuck under garages or use of any of these devices within 15 feet of the building is prohibited.
8. Update keys in Dama Key Box
9. Verify access to Fire Department Connection (FDC)

THE FIRST INSPECTION AND RE-INSPECTION ARE INCLUDED IN YOUR RENTAL FEE!

If addition inspections are required due to non-compliant items, a $60.00 re-inspection fee will be assessed and need to be paid prior to completing any additional inspections.

CHAPTER 9

ARTICLE A. REGISTRATION

SECTION:

4-9A- 1:	Short Title
4-9A- 2:	Purpose; Intent
4-9A- 3:	Definitions
4-9A- 4:	Uniform Housing Code Adopted
4-9A- 5:	Registration Of Premises; Fee
4-9A- 6:	Display Of Registration
4-9A- 7:	Inspection; Right Of Entry
4-9A- 8:	Health Department Inspection
4-9A- 9:	Applicable Laws
4-9A-10:	Termination Of Registration
4-9A-11:	Criminal Background Checks
4-9A-12:	Crime Free Multi-Housing

4-9A-1: **SHORT TITLE:** This Article may be referred to as the RENTAL PROPERTY REGISTRATION ORDINANCE. (Oral.95-2, 1-23-1995)

4-9A-2: **PURPOSE AND INTENT:**

A. Purpose. The purpose of this Ordinance is to protect the public health, safety and welfare of the residents of the City who have, as their place of abode, a dwelling unit, manufactured home, lot or room furnished to them for the payment of rental charges to another.

B. Intent. It is the intent of this Ordinance that a permanent mode of protecting and regulating the living conditions of these residents be established by providing minimum standards for cooking, heating and sanitary equipment necessary to the health and safety of occupants of rental property by providing minimum standards for light and ventilation necessary to health and safety and by providing minimum standards for the maintenance of rental property. In addition the Sartell City Council has determined that there are persons residing in rental property in Sartell engaging in disorderly conduct which results in a hostile environment for other Sartell citizens living near or close to the rental property. It is further the declared purpose and intent of this section to protect and preserve the City's neighborhoods and the public health, safety and welfare of its citizens by providing a system at the local level for criminal history/background investigation of prospective tenants.

C. Savings Clause. With respect to rental disputes, and except as otherwise specifically provided by the terms of this ordinance, it is not the intention of the City Council to intrude upon the fair and accepted contractual relationship between tenant and landlord. The Council does not intend to intervene as an advocate of either party, nor to act as an arbiter, nor to be receptive to complaints from tenant or landlord which are not specifically and clearly relevant to the provisions of this Ordinance. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal sanctions as are available to them without the intervention of City Government. Neither in enacting this Ordinance is it the intention of the City Council to interfere or permit interference with legal rights to personal privacy.

4-9A-3: **DEFINITIONS:**

BUILDING	Any structure used or intended for supporting or sheltering any use or occupancy.
CRIME FREE MULTI-HOUSING PROGRAM (CFMH)	Is a three-phase certification program for rental properties of all sizes, including single family rental homes. The program is available to owners and property managers of rental properties located within the corporate limits of the City of Sartell. Necessary training and support of the program is designed to provide for ease of participation. The program is known to be effective in reducing criminal activity in rental properties.
DWELLING UNIT	One or more rooms which are arranged, designed or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit.
HOUSING INSPECTOR	A Building Official, Code Official, Fire Marshal, City Police Officer or any other designee appointed by the Sartell City Council authorized to administer and enforce this Ordinance.
INDEPENDENT HEARING OFFICER	A designee appointed by the Sartell City Council.
LOT	An area within a manufactured home park or otherwise maintained and made available for occupancy by a manufactured home.
MANUFACTURED HOME	A structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the structure's plumbing, heating, air conditioning and electrical systems. The term includes any structure which meets all the requirements and with respect to which the manufacture voluntarily files a certification required by the secretary and complies with the standards established under this Ordinance and which meets the Manufactures Home Builders Code as defined in Minnesota Statutes.
MANUFACTURED HOME PARK	Any site, lot, field or tract of land upon which two (2) or more occupied manufactured homes are located, either free of charge or for compensation, and includes may building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.
MAXIMUM OCCUPANCY	That for each occupant in a dwelling unit 100 square feet of space must be provided.
OCCUPANT	Any person (including the owner or operator) living, sleeping,

cooking and eating in a dwelling unit.

OPERATOR	The owner's or agent who has charge, care, control or management of a building or manufactured home park or part hereof, in which dwelling units, manufactured homes, lots or rooming units are let.
OWNER	Any person who alone or jointly shall be in actual possession of, or have charge, care or control of, any dwelling unit, manufactured home, lot, rooming house or sleeping unit within the City.
PERSON	Any natural person, his/her heirs, executors, administrators or assigns, and also includes a firm, partnership, limited liability company, cooperative or corporation, its or their successors or assigns, or the agent of any of the aforesaid.
RENTAL PROPERTY	Any real property or dwelling rented or leased by one person or entity to another person or entity for residential purposes, including but not limited to houses, apartments, townhouses, condominiums, manufactured or mobile homes or the lots on which they are located, and other similar structures.
ROOMING HOUSE	A building or structure providing a room or rooms intended for living and sleeping to persons in the status of tenant. This term shall include boarding houses, day care, fraternity houses and sorority houses, but does not include hotels, motels or hospitals.
SLEEPING ROOM	A room or enclosed floor space in a "rooming house" or "dwelling unit" as defined in this Ordinance, used or intended to be used primarily for sleeping purposes.
TENANT	One who has as his/her place of abode a dwelling unit, manufactured home, lot, rooming house or sleeping room furnished to him/her for payment of a rental charge to another.

4-9A-4: **UNIFORM HOUSING CODE ADOPTED:**

A. Uniform Housing Code. The Uniform Housing Code, 1997 Edition, as from time to time amended or modified, one copy of which is on file in the Office of the City Clerk, is hereby adopted by reference and is made a part of this Ordinance as if fully set out in length.

4-9A-5: **REGISTRATION AND FEES:**

A. Registration Required. No person shall occupy, allow to be occupied or let to another for occupancy any rental property in the City for which a registration statement has not been properly made and filed with the Housing Inspector. All rental property, rooming houses or sleeping rooms are required to participate in the Sartell Crime Free Muti-Housing Program and must at least possess a Phase 1 certificate. Single unit owner occupied rental property is exempt from this requirement. If registrants wish to fully participate in the Sartell Crime Free Multi-Housing Program they will qualify for a rental fee reduction. Refer to 4-9A-5 subd D4.

B. Registration Statement.

1. Fee Prerequisite: The payment of fees as determined by the City of Sartell annual Fee Schedule, along with current Inspection

Certificate and a current Sartell CFMH Certificate shall be a prerequisite to this required registration.

2. Form - Required Information: Such registration statement shall be made and filed on a form furnished by the Housing Inspector for such purposes and shall set forth the following information.

a. Name, residence address and phone number of the owner of the rental property or an agent authorized by the owner to accept service of process and to receive and give receipt for notices and in cases where the owner of the rental property lives outside of the City of Sartell; fine registration shall be made by an agent who shall be legally responsible for compliance with this and other City Ordinances.

b. Name, address and phone number of any agent actively managing said rental property.

c. Street address of the rental property.

d. Tax parcel number of the rental property or manufactured home park in which the rental property is located.

e. Number and kind of units within the rental property (dwelling units, manufactured homes, lots or sleeping rooms).

f. Name, phone number and address of the person authorized to make or order repairs and/or service to the building or manufactured home park, to provide required services necessary to protect the health, safety and welfare of the occupants or is able to contact the person so authorized.

g. Maximum number of people per dwelling unit, manufactured home, lot or sleeping room.

C. Manner of Registration: The registration shall be made by the owner if such owner is a natural person; if the owner is a corporation, cooperative or limited liability company, by an officer thereof, if a partnership, by one of the partners; and if an unincorporated association, by the manager or managing officer thereof, in the office of file Housing Inspector. Not withstanding renewal of registration as required annually by this Code may be made by filling out the required renewal form furnished by the Housing Inspector to the owner or agent of a rental property and mailing said form together with file required registration fee and current required certificates to the Housing Inspector. Such renewal of registration may only be made where there has not been a change of ownership, agent or type of occupancy as originally registered.

D. Annual Registration Fee: A registration fee to be charged by the City annually shall be as follows:

1. Registration fee for each dwelling unit, manufactured home, lot or sleeping room shall be paid to the City on or before January 15 each year. The amount of the fee will be established on the City of Sartell annual Fee Schedule.

2. Rental property which is licensed as a curing home or a boarding

house by the State of Minnesota Department of Health pursuant to Minnesota Statutes chapter 157 shall be exempt from the registration fee required under this Section.

3. If the registration fee required hereunder shall be paid after January 15, there shall be imposed penalties as set by City of Sartell annual Fee Schedule.

4. An annual review will be conducted on all rental property licenses after October 1st of each year. This review will determine if all provisions of this ordinance have been met and if a license for the next year should be issued and/or if the fees for such license will be regular or Crime Free Multi Housing rates.

E. Registration Before Occupancy: All rental property required to be registered pursuant to the provisions of this Article, shall be registered prior to occupancy or the letting to another for occupancy any dwelling unit, manufactured home or lot therein, and thereafter all registrations of such rental property shall be renewed no later than January 15 each year.

F. Transfers: Every new owner of a rental property (whether as fee owner, contract purchaser, lessee subletting the entire building or manufactured home park or otherwise entitled to possession) shall register before taking possession. No registration fee shall be required of the new owner in the year of purchase, provided the previous owner has paid the registration fee, and further provided the new owner does not change the type of occupancy as originally registered.

4-9A-6: **DISPLAY OF REGISTRATION**

1. Every registrant of a building or manufactured home park with four (4) or more dwelling units, manufactured homes or lots shall conspicuously display at all times on file premises a copy of the current registration as filed with and approved by the City. This registration shall be located on the premises so as to be easily viewed and readable by the occupants of the rental property and shall be reasonably protected from wear by a plastic cover or similar protective device.

4-9A-7: **INSPECTION; RIGHT OF ENTRY**

1. In order to complete the compliance with the registration requirements, Housing Inspector shall have file authority enter any building or manufactured home park at reasonable times upon five (5) days' written notice to the tenant, to determine if said building or manufactured home park is operated as a "rental property" as defined in this Ordinance or to enforce the Uniform Housing Code, or both:

4-9A-8: **HEALTH DEPARTMENT INSPECTION**

1. The Stearns County Health Department shall have the right to inspect "rooming houses" and "manufactured homes", as defined in this Ordinance to enforce the sanitation requirements.

4-9A-9: **APPLICABLE LAWS**

1. Registrants shall be subject to all of the provisions of this Ordinance and the State relating to dwelling units and manufactured home parks; and this Ordinance shall not be construed or interpreted to supersede any other such applicable Ordinance or law.

4-9A10: **VIOLATIONS AND TERMINATION OF REGISTRATION**

1. Notice of Violation. At any time the Housing Inspector shall determine that any owner subject to this Ordinance has failed to comply with the provisions of this Ordinance, the Housing Inspector shall notify such owner in writing of such violation by U.S. mail or personally. The amount of time for correction will be determined by the severity of the violation in the Housing Inspector's sole discretion. If the owner cannot be found, the notice shall be posted on the rental property. The notice shall require compliance with the provisions of this Ordinance and specify a reasonable time for the compliance to be completed.

2. Additional Violations. Notwithstanding any finding of the housing inspector for other violations, any rental property having four or more rental units, whose property receives more than one (1) police call per unit within a twelve (12) month period or receives twenty-four (24) police calls or complaints within a twelve (12) Month period, whichever number is less, shall appear before the Independent Hearing Officer, upon notice, to review the continuation of said owner to continue to hold a rental license in the City of Sartell. This criteria is not intended to be an exclusive remedy, but is intended to be a criteria for the property owners continuing to hold a rental license with the City.

3. Non Compliance. In the event compliance has not been completed within the time provided, or a hearing has not been requested by the owner in writing, the Housing Inspector shall recommend to the City and the City Council may terminate the registration.

4. Request for Hearing. In the event that a hearing is requested by the owner prior to expiration of the time specified for compliance, the City shall set a time for such hearing and shall inform the owner of the time and place at which the City Council will meet to consider such testimony as may be offered concerning the proposed violation.

5. Decision of the City Council On completion of such hearing, the City Council may make a final order suspending or terminating the license in question.

4-9A-11: **CRIMINAL BACKGROUND CHECKS**

1. The Sartell Police Department shall conduct criminal history/background investigations on prospective tenants in rental property in the City of Sartell. No such investigation shall be conducted using the state Criminal Justice Data Communications Network (CJDN)unless the landlord presents an Informed Consent/Waiver form signed by the prospective tenant. The Informed Consent/Waiver form must meet the requirements of Minnesota Statutes. Each request must be on a form approved or provided by the Sartell Police Department. The applicant shall pay a fee as established by the City of Sartell annual Fee Schedule.

4-9A-12: **CRIME FREE MULTI-HOUSING**

Certification. To obtain and maintain certification from the Sartell Police Department as a member of the Crime Free Multi-Housing Program, a rental property owner or property manager must:

A. Successfully complete and implement all of the components of the *Crime Free Multi-Housing Program.* The components of the program are:

Phase 1. Attendance at and successful completion of the Management Training components which will be shown by demonstrating an understanding of each of the following subject matter:

(a) The Crime Free Multi-Housing Program and ordinance.

(b) Rental applications and housing discrimination.
(c) Screening and background checks.
(d) Lease and lease addendums.
(e) Unlawful detainer and eviction.
(f) Manage/Owner policies and roles.
(g) Data privacy.
(h) Narcotics and gangs.
(i) Rental housing.

If you are an owner/manager of a single or double dwelling unit you are required to attend a four (4) hour Management Training Course. If you are an owner/manager of a dwelling unit of three (3) or more you are required to attend an eight (8) hour Management Training Course. Single unit owner occupied rental property is exempt.

Phase 2. Compliance with environmental crime prevention requirements by owners for their rental properties that are located within the corporate limits of the City of Sartell or in the case of a property manager, for all rental properties located within the corporate limits of the City of Sartell that are managed by that property manager. Compliance will be indicated by completion of the following requirements:

(a) Single cylinder deadbolt locks installed in each entry door for each dwelling unit.
(b) High security strike plate with 3-inch screws installed on each wooden entry door frame for each dwelling unit.
(c) Door viewer 180 degree peephole installed in the primary entry door for each dwelling unit
(d) Anti-lift/slide device installed on all windows and sliding glass doors.
(e) Security lighting adequate to illuminate exterior grounds.
(f) Landscaping in a manner that provides for visual sight lines.
(g) Visible address numbering installed.
(h) Compliance with all Fire and Building Code requirements.

Phase 3. Include, implement and enforce as part of all written leases, the Lease Addendum for Crime Free/Drug Free Housing,(attachment A), provided by the Sartell Police Department and at least once every 12 months make available, in cooperation with the Sartell Police Department, training for tenants in respect to the following subject areas:

(a) The Crime Free Multi-Housing program together with the concept of partnerships and sharing responsibilities.
(b) Crime concerns and prevention awareness techniques.
(c) Application of Neighborhood Watch program/principles.

B. Following successful completion of the program components described in Subd. 1A above, rental property owners or property managers must maintain compliance with all program components.

C. Rental property owners who acquire additional rental properties following the successful completion of the program described in Subd. 1A above must bring those properties into compliance within one year from the date of acquisition. Rental property managers who add additional properties for which they are responsible following the successful completion of the program described in Subd. 1A above must bring those properties into compliance within one year from the date of assumption of management responsibilities.

<u>Decertification.</u> Owners or property managers who do not maintain compliance with the certification requirements above will lose their certification.

A. The owner or property manager will be notified of proposed decertification by certified

mail postmarked at least ten days prior to the proposed date for decertification. The owner or property manager may appeal the decision to decertify by providing written notice to the Sartell Police Department within 15 days of the mailing of the decertification notice.

B. Decertification will not occur following an appeal until the owner or property manager has been afforded an opportunity for hearing before an Independent Hearing Officer. If the Independent Hearing Officer finds the owner or property manager has not maintained compliance with the certification requirements, the Independent Hearing Officer will give written notice to the owner or property manager by certified mail within ten days of the hearing date (excluding weekends and holidays) of his/her findings and recommendation to the City Council that the owner or property be decertified.

C. Unless the owner or property manager appeals the decision of the Independent Hearing Officer to the City Council within five days of issuance of the independent Hearing Officer's findings and recommendation (excluding weekends and holidays) the City Council, at its next meeting will decertify. If the owner or property manager appeals the Independent Hearing Officer's decision within the prescribed time period, the owner or property manager will be afforded an opportunity to have the City Council review the Independent Hearing Officer's findings and recommendations and either affirm the Independent Hearing Officer's findings and recommendations or substitute its own findings that the owner or property manager is in compliance with the certification requirements.

D. An owner or property manager who is decertified will not be eligible to reapply for Crime Free Multi-Housing certification for a period of two years following the date of decertification.

CHAPTER 9

RENTAL DWELLINGS

ARTICLE B. NOISE REGULATIONS

SECTION:

4-9B-1: Purpose And Intent
4-9B-2: Definitions
4-9B-3: Noisy Parties, Gatherings
4-9B-4: Landlord Liability
4-9B-5: Penalty

4-9B-1: **PURPOSE AND INTENT**: The purpose of this Article is to protect the public health, safety and welfare of the residents of the City from infringement upon the peace and tranquility of those residents occupying a rental unit, manufactured home or lot from infringement by others residing in a rental unit, manufactured home or lot by regulating the maintenance of a nuisance or times during which noisy parties and gatherings may occur at these properties on a reoccurring basis. (Oral. 95-1, 1-23-1995)

4-9B-2: **DEFINITIONS:** For the purpose of this Article, the following words and phrases shall have the meaning given to them in this Section:

CITY:	The City of Sartell, Stearns and Benton Counties, Minnesota.
HOUSING INSPECTOR	A Building Official, Code Official, Fire Marshal, City Police or any other designee appointed by the Sartell City Council authorized to administer and enforce this ordinance.
LANDLORD OR OWNER:	Any person who owns or leases for subletting a building, room or combination of rooms, manufactured home, lot or other rental Property for which registration is required pursuant to the ordinances of the City of Sartell.
LOT:	An area within a manufactured home park or otherwise maintained and made available for occupancy by a manufactured home.
MANUFACTURED HOME:	A structure, transportable in one or more sections, which in in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the State of Minnesota and complies with the standards established under the Manufactured Home Building Code as adopted by the State of Minnesota and amended from time to time.

MANUFACTURED HOME PARK:	Any site, lot, field or tract of land upon which two (2) or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.
NOISY PARTY OR GATHERING:	Any congregation of two (2) or more people from which noise emanates of a sufficient volume as to be clearly audible at a distance of fifty feet (50') from the rental unit, manufactured home or lot at which the noisy party or gathering is occurring or, in the case of an apartment building, in the adjacent hallway or apartment.
PERSON:	Any individual, cooperative, corporation, firm, partnership, limited liability company, incorporated and unincorporated association, or any other legal or commercial entity.
PUBLIC NUISANCE:	Any of the general or specific conditions specified as a public nuisance in Chapter 6 of this Title.
REGISTRATION:	The annual registration required by Article A of this Chapter providing for the registration or licensing of rental properties in the City of Sartell.
RENTAL UNIT:	Any building, room or combination of rooms, manufactured homes, lot or other rental property for which registration is required pursuant to Article A of this Chapter. (Ord. 95-1, 1-23-1995)

4-9B-3: **NOISY PARTIES, GATHERINGS:**

A. Prohibition: No person shall, between the hours of ten o'clock 10:00 P.M. and seven o'clock (7:00) A.M., congregate at, or participate in any party or gathering of two (2) or more people from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of another person. No person shall knowingly remain at such a noisy party or gathering.

B. Duty To Disperse: When a police officer of the City determines that a noisy party or gathering exists in violation of this Article, the officer may order all persons present at the premises where the violation is occurring, other than the owner or tenants of the premises, to disperse immediately. No person shall knowingly remain at a noisy party or gathering.

C. Exceptions: The following are exempt from violation of this Article:

1. Activities which are duly authorized, sponsored or licensed by the City, so long as the activity is conducted pursuant to the conditions of the license, permit or contract authorizing such activity.

2. Church bells, chimes or carillons.

3. Persons who have gone to a party for the sole purpose of abating the violation.

4. Upon special request made by contractors, the City Council may exempt contractors performing public works operations from time prohibitions set forth within this Section. (Ord. 95-1, 1-23-1995)

4-9B-4: **LANDLORD LIABILITY:**

A. Responsible For Conduct Of Tenants: The owner of a rental unit, manufactured home or lot shall

be responsible to cause persons occupying the rental unit, manufactured home or lot to conduct themselves in such a manner as to not cause the premises to be in violation of the prohibition against noisy parties and gatherings set forth in Section 4-9B-3 of this Article or to allow to exist on the premises a public nuisance.

B. Enforcement: The Housing Inspector shall be charged with the responsibility of enforcing subsection A of this Section.

C. Notice Of Violation: Upon determination by the Housing Inspector that the rental unit, manufactured home or lot is being used in a manner in violation of subsection 4-9B-3A of this Article or has, on the premises a public nuisance, the Housing Inspector shall notify the owner and managing agent of the owner by regular mail of such violation and direct the owner and managing agent to take steps to prevent further violations at the premises.

D. Second Violation; Written Report Required: If another violation occurs at the rental unit, manufactured home or lot within twelve (12) months of an incident for which notice provided in subsection C above was given, the owner and managing agent shall be notified of the subsequent violation by the Housing Inspector and shall be required to submit a written report of actions taken by the owner and/or managing agent to eliminate future violations. This written report shall be submitted to the Housing Inspector within five (5) days, excluding intervening weekends and holidays, of the notice of violation and shall detail all actions taken by the owner and/or managing agent in response to all notices of violations at the premises within the preceding twelve (12) months.

E. Third Violation; Suspension Of Registration:

1. Suspension: If another violation occurs at the rental unit, manufactured home or lot within twelve (12) months after receipt of notices pursuant to subsections C and D of this Section, the registration shall be suspended for such rental unit, manufactured home or lot for a period of six (6) months, subject to review as hereafter specified.

2. Scope Of Suspension: Such suspension may be for all lots or manufactured homes in a manufactured home park or all units in a given building or complex of buildings. If the notice of violation has been with respect to a common area of the manufactured home park or a building or complex of buildings, then the license as to all units in such manufactured home park, building or complex of buildings may be suspended or revoked.

3. Notice Of Suspension; Hearing: No suspension shall take effect until after the owner has received notice of the proposed suspension or revocation and has been afforded an opportunity for a hearing before the Health Appeals Committee, a Committee made up of the City Administrator, the Building Inspector and the Chief of Police.

4. Findings Of Health Appeals Committee: If the Health Appeals Committee finds that either the owner or the rental unit, manufactured home or lot has failed to comply with this Section, the Health Appeals Committee shall give written notice of such findings to the owner by certified mail within ten (10) days of the hearing date excluding intervening weekends and holidays, of its recommendation to the City Council that the rental dwelling license be suspended.

5. Previous Suspension, Conduct: In instances where the registration for the rental unit, manufactured home or lot has been previously suspended, or the records of the City show a pattern of conduct at the premises which is detrimental to the peace and tranquility of the general public, the Health Appeals Committee may recommend revocation of the registration.

F. Council Action:

1. No Appeal Of Committee Recommendation: Unless the owner shall appeal the decision of the Committee to the City Council within five (5) days of issuance of the Committee's written notice, excluding intervening weekends and holidays, the City Council, at its next meeting shall suspend or revoke the rental dwelling license in accordance with the Committee's recommendation.

2. Appeal; Review: If the owner shall appeal the Committee's decision upon a form provided by the Housing Inspector's office within the time period set forth herein, the owner shall be afforded an opportunity to have the City Council review the Committee's findings and recommendations and either affirm the Committee's decision and suspend or revoke the rental dwelling license or to substitute its own findings and take whatever action it deems warranted.

G. Reinstatement; Fee: The registration may be reinstated by the Housing Inspector after suspension or revocation, upon receipt of payment to the City of a reinstatement fee equal to one hundred dollars ($100.00) for the rental unit, manufactured home or lot reinstated and twenty dollars ($20.00) for each additional unit reinstated within such rental unit or manufactured home park.

H. Pending Eviction Proceedings: No suspension or revocation shall be imposed for a violation of subsection A of this Section which occurred during the pendency of eviction proceedings (unlawful detainer) or within thirty (30) days, or such other time period required by the lease, of notice given by the owner or the owner's managing agent to a tenant to vacate the premises, where the violation related to or occurred in the unit for which eviction proceedings were undertaken or notice to vacate was given. Eviction proceedings shall not be a bar to sanctions pursuant to this Section unless they are diligently pursued by the owner or managing agent. No action shall be taken under this Section against an owner who was himself/herself, or through his/her agent, the complainant on the underlying violation of subsection 4-9B-3A of this Article or of the public nuisance.

I. Conduct Clause Required: All written leases, rental agreements or manufactured home park rules for rental units, manufactured homes or lots which shall be in effect after December 31, 1994, shall contain a clause providing that conduct which would be violation of subsection A of this Section, shall constitute a material breach of the lease or rental agreement or rules and grounds for termination of such lease.

J. Criminal Proceedings Irrelevant: It shall be irrelevant to proceedings hereunder that the owner or others were not criminally prosecuted or were acquitted of criminal charges for the incidents serving as the basis of the suspension or revocation. (Ord. 95-1, 1-23-1995)

4-9B-5: **PENALTY**: Every owner or tenant of the premises where a noisy party or gathering in violation of this Article occurs, who is present at such noisy party or gathering, is guilty of a misdemeanor. Any person who refuses to disperse from a party or gathering in violation of this Article after being ordered by a police officer to do so, is guilty of a misdemeanor. (Ord. 95-1, 1-23-1995)