



MEMORANDUM
VIA EMAIL TRANSMITTAL

TO: L&O Committee and Weights & Means Committee
THROUGH: Sharon Hanson, City Administrator
FROM: Pamela Whitmore, City Attorney
DATE: November 2, 2023
RE: Rental Ordinance

Background of Rental Ordinances

Rental ordinances are common in cities. In fact, the rights and duties of property owners/landlord and tenants in Minnesota are spelled out not only in local ordinances, but also in federal law, state statutes, safety and housing codes, common law, contract law, and a number of court decisions. In January 2023, the City considered a proposed rental ordinance which met push back from the community. The Council decided to not take action on the proposed ordinance in January 2023, and directed staff to start a process for creation of a Rental Committee. The City Attorney drafted a registration-based ordinance for review and feedback from the Rental Committee once formed.

Rental Committee

The Rental Committee met five times to review the newly drafted ordinance – June 13, July 11, August 8, October 10 and October 31. The Rental Committee was made up of representatives of staff, fire, council, tenant advocates and landlords and was facilitated by John Decramer and Mark Klaith. The Committee participants included Zachary Gilman, James Carr, Brad Meulebroeck, Shawn Butler, Jessica Bentley, Angela Larson, Quentin Brunsvold, Steven Anderson, Jason Anderson, Sharon Hanson, Craig Schafer and James Lozinski.

The Rental Committee engaged in thoughtful and thorough discussion regarding the goals of the city, the interests of the community and the protections of the public. These discussions led to productive collaboration and revisions.

On October 31, 2023, the Rental Committee approved, by unanimous vote, to recommend the attached ordinance. Because the ordinance sets forth fees, this ordinance will need to go to the Weights & Means Committee, in addition to the L&O committee.

Please note, the Rental Committee expressed a desire to be notified of the Weights & Means Committee meeting, and of the future Council Meeting at which the Ordinance will be discussed. The Rental Committee requested that both Weights & Means, and L&O, be made aware that this program is not intended to be cost prohibitive to registrants (and Committee expressed a desire for fees to be reasonable) and should not place a huge burden on staff or city resources.

The Rental Ordinance

The final draft of the Ordinance is attached. As the City will notice, this is a registration only ordinance as desired by staff, with inspections on a complaint basis. Registrations of renewals or new applications are on a biannual basis, with self-inspection of the properties requested on the off years.

I appreciate your patience with the process and really want to re-emphasize the appreciation for the amount of time spent by all involved in the process. Please let me know if you have questions. Additionally, let me know if additional information is required for next steps.