

ORDINANCE 210

Part 12 Short-Term Vacation Rental

512.1. Definition. Short-Term Rental Unit: for the purposes of this section, the term Short-Term Rental Unit means a dwelling unit, consisting of any room or group of rooms located within any structure or part thereof, forming a separate single habitable unit intended for temporary residential occupancy, the use thereof being offered for trade or sale, whether for money or exchange of goods or services, for not more than 28 consecutive nights.

512.2. Applicability and exceptions. The provisions of this section shall apply to all residential short-term rental units, including rented single-family dwellings and duplexes, manufactured homes, and short-term rental units in owner-occupied dwellings.

512.3. Short-term rental permit required. No person shall occupy, allow to be occupied, or let to another for occupancy, any short-term rental unit in the City of Carlton, without first having obtained a short-term rental permit from the city under the terms of this section. Short term rental units, following the effective date of this ordinance, shall not be occupied for human habitation until issuance of a short-term rental permit by the city. Application for a permit shall be made upon forms furnished by the city for such purpose and shall require the minimum information required under Section 512.4. Permits shall be renewed annually.

512.4. Application for short-term rental permit; register of occupancy.

Subd. 1. The owner of each short-term rental unit shall make written application to the city for a short-term rental permit. A new owner shall be required to obtain a permit for units within ten (10) days after acquisition. Application for a short-term rental permit shall be made upon forms furnished by the city and shall specifically set forth the following information:

1. The name, address and telephone number of the owner of the short-term rental unit(s); if an entity, the name of the entity, and the name, address, telephone number and email address of the president, chief manager, or managing partner, and the name, address, telephone number and email address of any property management company acting as landlord on their behalf.
2. The street address of each short-term rental unit.
3. The number and types of short-term rental units within a structure, along with a floor plan of the structure, including the number of bedrooms with dimensions and all other sleeping accommodations.
4. A site drawing showing the location and dimensions of property lines, designated off-street parking areas for each existing short-term rental unit, and which areas comply with the city's on-street parking requirements.
5. A plan for garbage disposal by the permit holder.
6. A pet policy.

512.5. Inspection required. Before issuance or renewal of any short-term rental permit, such unit or units, and the structure within which it is situated, shall be inspected by the city and shall comply with the Housing Code, the City Code, and all other law relating thereto.

- ***Sewer lateral compliance certificate must be issued before issuance of short-term rental permit.***

512.6. Permit Requirements. Below are the permitting requirements that will be evaluated during an inspection.

Subd. 1. Sanitary Facilities.

1. The bathroom must be in a separate room usable in privacy, and have a flush toilet, a fixed basin (lavatory) with a sink trap, and a shower or tub, with hot and cold running water, all in proper operating condition.
2. The facilities must utilize an approved public or private disposal system, including a locally approved septic system.

Subd. 2. Food Preparation and Refuse Disposal.

1. The dwelling unit must have a refrigerator, an oven and a stove, or range or a microwave oven, all in proper operating condition. On gas stoves no pilot light is allowed; they must be electronic ignition.
2. The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approved public or private system.
3. The dwelling unit must have space for storage, preparation, and serving of food, and facilities and services for the sanitary disposal of food waste and refuse.

Subd. 3. Space and Security.

1. The dwelling unit must have a living room, a kitchen, and a bathroom, and must have at least one (1) bedroom or living/sleeping room for every two (2) persons, except for very young children (up to age 5).
2. Dwelling unit windows that are accessible from the outside must be lockable.

Subd. 4. Thermal Environment.

1. There must be a safe system for heating the dwelling unit, such as an electric baseboard, radiator, or forced air system, which must be in proper operating condition. The system must be able to provide adequate heat either directly or indirectly to each room.
2. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable with a GFI electrical outlet.

Subd. 5. Illumination and Electricity.

1. The kitchen area and the bathroom must each have a permanent ceiling or wall-mounted fixture and at least one GFI electrical outlet, all in proper operating condition.
2. The living room and each sleeping space must have at least two (2) electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

Subd. 6. Structure and Materials.

1. Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage, and the condition and equipment of interior and exterior stairs, halls, porches, and walkways must not present the danger of tripping and falling.
2. The roof must be structurally sound and weather-proof, and the foundation and exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.

3. Elevators must be working safely.

Subd. 7. Interior Air Quality.

1. There must be adequate air circulation in the dwelling unit which must be free from dangerous air pollution levels from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.
2. Bathroom areas must have one (1) openable window or other adequate ventilation, and any sleeping room must have at least one (1) window. If the window was designed to be opened, it must be in proper working order.

Subd. 8. Water Supply.

1. The dwelling unit must be served by an approved public or private water supply that is sanitary and free from contamination.

Subd. 9. Access.

1. The unit must have private access.
2. In case of fire, the building must contain an alternate means of exit such as fire stairs, or windows, including use of a ladder for windows above the second floor, and there must be at least one egress window in the living room and in each sleeping room.

Subd. 10. Sanitary Condition.

1. The dwelling unit and its equipment must be free of vermin and rodent infestation and in a sanitary condition.

Subd. 11. Smoke and Carbon Monoxide Detectors.

1. At least one (1) battery-operated or hard-wired smoke detector in proper operating condition must be present on each level of the dwelling unit, including basements, but excluding crawl spaces and unfinished attics, and must be installed in accordance with and meet the requirements of the National Fire Protection Association Standards (NFPA) 74 or its successor standards.
2. All units shall have an approved carbon monoxide alarm within 10 feet of each sleeping room. Carbon monoxide alarms must either be hardwired into the electrical wiring, directly plugged into a non-switched outlet or battery powered.

Subd. 12. Safety.

1. The permit holder shall post emergency contact information (police, fire, hospital) and show renters the location of fire extinguishers in the short-term rental.

512.7. Unlawful act. It is unlawful for any permit holder to substantially modify any dwelling unit, or the structure within which it is situated, during any permit year without the express authority of the city other than for essentially cosmetic changes. Issuance of a building permit shall not constitute such authority.

512.8. Absentee owners or applicants. No permit shall be granted or renewed if the applicant or permit holder is a nonresident of the city, unless such applicant or permit holder has first appointed, in writing, a local agent with authority for management of the dwelling unit.

512.9. Complaints. Any renter may complain to the city and the city shall thereupon reinspect the dwelling unit. If it is found that it does not comply, the permit may be revoked after a hearing thereon.

512.10. Garbage and rubbish removal. The owner of any dwelling unit requiring a permit under this section is required to remove from the premises all accumulated garbage and rubbish on at least a weekly basis. If the owner fails to have the garbage removed timely after one (1) prior written warning, the owner shall be required to contract with an approved garbage and rubbish disposal contractor.

512.11. Additional occupancy. Use of recreational vehicles, tents, accessory structures or fish houses is not permitted.

512.12. Reporting requirements. The permit holder shall keep a report detailing use of the short-term rental by recording the full name, address, phone number and vehicle license number of guests using the rental. A copy of the report shall be provided to the city clerk upon request.

512.13. Annual Inspection. A short-term rental shall be a permitted rental unit by the City and shall meet the requirements of all statutes, rules, regulations, and ordinances including, but not limited to the City of Carlton's housing code. Each unit shall be inspected annually by the building inspector and the fire chief prior to renewal of a permit.

512.14. Mitigation. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby public parks, public safety and safety of renters. Said conditions may include but are not limited to – fencing or vegetative screening, native buffer along the property line, noise standards, duration of permit, restrictions on parking, and number of renters. Conditions may be imposed on a case-by-case basis due to unique circumstances of a particular property, upon permit application, renewal or reinspection due to a complaint.

512.15. Permit posting. A permit holder must post their permit number on all print, poster or web advertisements.

512.16. Sales tax numbers. A permit holder must apply for and be granted state and local sales tax numbers, including hotel and motel use sales tax.

512.17. Quiet Hours. Quiet hours are from 10:00pm to 8:00am Monday through Sunday.

512.18. Density. Only one (1) short-term rental allowed within 500 feet of an existing short-term rental and a maximum of five (5) short-term rentals allowed in city limits

512.19 Enforcement. A violation of this Section is deemed to be a violation of the City Housing Code and may be enforced by the Building Official, City Council and City Attorney of the City of Carlton under any and all of the violation and enforcement provisions of the City Housing Code.