Does Your City Have a Short-Term Rental Ordinance?

JUSTIN OTSEA
CITY PLANNER
TWO HARBORS (POPULATION 3,637)
Two Harbors is situated along Lake Superior just down the road from Duluth, and we get a lot of visitors. The city was getting a lot of calls from individuals looking to buy properties strictly for short-term rental purposes. This—combined with a recently completed housing study identifying a shortage in both housing and rental stocks in the community—made permitting the use a priority.

Developing the program
We worked with the Planning Commission, first reviewing other Minnesota cities' short-term rental programs, and developed something we thought would work for our community. We got input on the drafted ordinance from the head of the Chamber of Commerce, who both represents the hotel industry and owns multiple rental properties. We looked at the issue over the course of six to seven months from research to ordinance adoption in 2018.

The overall goal of the program was three-fold. First, given the limited housing/rental stock in the community, the city wanted to keep a record of the amount of short-term rental activity.

Second, the hotels in Two Harbors are subject to a tourism tax, and regularly see no-vacancy signs in the high-pressure season. To even the playing field, given the similar uses, the city decided to tax the short-term rental use accordingly.

Third, the ordinance gives the city a way to deal with any problems related to short-term rentals. We had received a handful of complaints regarding short-term renters, and we had little to no mechanism for enforcement if a significant issue were to arise.

Early enforcement efforts
Enforcement has just started over the last couple of months. We sent written notice of the new ordinance to the short-term rental property owners we know of. We've started to receive compliance and are continuing to monitor existing and new properties.

We've also reached out to Airbnb. We're seeking the company's assistance with the taxing/permitting process, but a meaningful partnership has not yet been formed.

Starting small
We started with limited regulations, so we could easily enforce them and evaluate the effectiveness and workload of administering the program. Starting a small program that can be expanded if needed has been the best approach for our community.

DALE STEFANISKO
CODE ENFORCEMENT OFFICER
PRIOR LAKE (POPULATION 25,735)
Like so many ordinances, the short-term rental ordinance adopted by the City of Prior Lake in 2015 was born out of nuisance-related complaints. After a handful of complaints were received about a couple rental properties in Prior Lake, the City Council wanted to consider its options.

Weighing options
The Council considered prohibiting short-term rental properties altogether. However, recognizing that Scott County is a tourist area, the City Council decided to allow them with certain regulations.

The process to create the short-term rental ordinance started with staff researching other communities and included talking to short-term rental property owners, residents, the police, and other city staff.

Striking a balance
The city's primary goal was to create an ordinance that would allow short-term rentals while also ensuring that they do not become a nuisance or blight to the neighborhood.

To achieve that goal, the ordinance identifies specific short-term rental conditions and requires a common nuisance violation notice to be posted. This required posting, including local code requirements and contact information of the property owner or agent, must be displayed at the rental property. The permitting process also includes a requirement that the applicant acknowledge they have read the short-term rental code.

Since its adoption, the ordinance has been adjusted to address parking requirements for properties on private streets or properties on an island in Prior Lake.

Involve key stakeholders
For other communities considering the adoption of a short-term rental ordinance, we would recommend involving key stakeholders potentially affected by an ordinance. These stakeholders would include potential rental property owners or their agents, neighboring property owners, neighborhood associations, and city staff members that would be involved with the permitting process or enforcement of the ordinance.

The ordinance and required permitting have worked well for Prior Lake. The few complaints received in recent years have been related to renting properties without a short-term rental permit. But since the adoption of the ordinance, the city has received few complaints about short-term rental properties, so we consider it a success. ☝️
PLANNING MEMO

TO: St. Paul Park Planning Commission
   Kevin Walsh, City Administrator

FROM: Nate Sparks, City Planner

DATE: April 4, 2019

RE: Ordinance Discussion - Short Term Rentals

BACKGROUND
The City has been receiving complaints related to the issue of short term rentals. There are currently five listings in the City being offered as vacation rentals on internet based services.

Short term or vacation rentals have become a common alternative to traditional hotels, bed and breakfasts, and resorts. Short term rentals are also used by people in an area for a temporary basis. Renting out cabins, houses, and rooms have become popular in tourist destination type areas. Instead of getting a hotel room, people may instead rent a house or a room in a residential area for a weekend, for example.

Typical concerns with this type of activity include impacts on the adjacent residential neighborhoods. The introduction of short term guests into a residential area introduces the potential for noise and incompatible activities. It may also raise concerns about public health and safety. Hotels and formal lodging facilities have stringent requirements that a general residence may not. Washington County’s inspection department states that these types of uses with a license may end up having areas where the guests are not permitted to go due to code restrictions.

Another concern is related to taxation. Hotels pay taxes related to their operations while these units are typically still taxed as residential. These residential units may have a larger impact on community services than a general residence, due to the commercial nature of the use.

Current City Regulations
Short term or vacation rentals are not currently mentioned in the City Code. Also, the City Code does not have any provision related to rental housing. This would likely imply that this use is not permitted unless considered to be a general residential use.
State & County Lodging Regulations
The State of Minnesota has statutes related to the regulation of lodging facilities. There are licensure requirements for such activity that a property owner must meet. The state has the following classifications (with definitions) of lodging facilities that require licenses:

- Lodging establishment
  A building, structure, enclosure, or any part thereof used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, for periods of one week or more, and having five or more beds to let to the public.

- Hotel or Motel
  A building, structure, enclosure, or any part thereof used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public and furnishing accommodations for periods of less than one week.

- Resort
  A building, structure, enclosure, or any part thereof located on, or on property neighboring, any lake, stream, skiing or hunting area, or any recreational area for purposes of providing convenient access thereto, kept, used, maintained, or advertised as, or held out to the public to be a place where sleeping accommodations are furnished to the public, and primarily to those seeking recreation for periods of one day, one week, or longer, and having for rent five or more cottages, rooms, or enclosures.

- Boarding establishment
  A food and beverage service establishment where food or beverages, or both are furnished to five or more accommodations, for periods of one week or more.

- Bed & Breakfast
  Owner occupied establishments which offer lodging and breakfast, without a limitation on the number of rooms offered. If breakfast is offered to more than 10 persons, a commercial kitchen is required.

Any person offering to the public to rent a room or a house for a period of time less than one week would be in violation of the requirement of the State to license as a hotel. If the room is offered for rent for a week or more, it would no longer be classified as a hotel and not require a license. However, with the large number of short term rentals, the State agencies note that enforcement is difficult.

Area Municipal & County Regulations
Many area communities have discussed the topic of short term/vacation rentals. Some communities (Burnsville, Savage) have prohibited this practice. Others have permitted the activity with restrictions. The restrictions sometimes require an interim or conditional use permit and/or a license with requirements for minimum standards that may include parking, occupancy limits, screening,
minimum/maximum square feet of units, noise standards, and other such requirements. In most communities with regulations, a rental for a term less than 30 days is considered to be a “short term” rental and a type of lodging. There are cities that have 15 day terms and 90 day terms. There are other cities that simple permit the use in single family neighborhoods.

**Planning Commission Discussion**
Short term/vacation rentals bring in transient residents that are coming to an area to partake in a commercial service being offered by a residential property owner. This could appear to be somewhat contradictory to the purpose of a single family residential neighborhood. If the Planning Commission wishes to prohibit or regulate this use, an ordinance amendment would be necessary.

**Potential Actions**
The Planning Commission should discuss the topic of short term rentals. The following direction may be provided:

- No code changes. Do not expressly prohibit this use.
- Amend the ordinance to prohibit short term rentals.
- Amend the ordinance to require registration of short term rentals.
- Consider regulations for all rental housing.
City Regulation of Short-Term Vacation Rentals by Owners

Cities are increasingly looking for ways to regulate short-term rentals available through organizations like Airbnb.

Organizations like Airbnb and VRBO.com have made things interesting for cities and residents. These are services individuals may use to arrange short-term rental of someone’s house, apartment, room, or bed for a night or more. Sometimes they cause issues for cities.

Increasingly, cities are seeking information on whether and how to regulate these “short-term rental” situations. League research attorneys are available to answer your questions.

What can cities regulate?
Under state law, the Department of Health has jurisdiction to license and inspect hotels, motels, and lodging establishments unless a city or county has been delegated that responsibility.

Hotels and motels are defined as buildings, structures, enclosures, or any part thereof used as, maintained as, advertised as, or held out to be places where sleeping accommodations are furnished to the public for a stay of less than a week. This alone captures a lot of short-term situations advertised online.

Lodging establishments are defined as buildings, structures, enclosures, or any part thereof used as, maintained as, advertised as, or held out as places where sleeping accommodations are furnished to the public as regular roomers for stays of a week or more and having five or more beds to let to the public. (Lodging establishments also include accommodations for those awaiting medical treatment, their family, and caregivers.)

In short, a lot of typical AirBNB or VRBO.com situations are subject to state regulation, but that does not preclude additional regulation by the city.

The state and its delegates have invested a lot of effort into locating and requiring licensing compliance by applicable properties throughout the state offering accommodations through AirBNB, VRBO.com, or other means. However, the level of state/delegate licensing compliance of short-term rentals might inevitably remain low due to:
• The amount of state/delegate manpower required.
• The fact that new short-term rentals constantly enter the market.
• Those offering accommodations not in compliance may be notified and then take steps to avoid further detection from licensing authorities.

For these reasons, the state fully supports cities adopting some regulation of situations potentially subject to state licensing to the extent it better enables state law licensing compliance.

The short-term rental of any space having fewer than five beds and for periods of a week or more is unregulated by state law. These are situations only a city may regulate—at least until a legislative change gives regulatory authority to the state and its delegates or makes it exempt from any regulation, including city ordinance. There are plenty of situations the city can regulate.

**How can cities regulate these situations?**
The two basic approaches cities currently use to regulate short-term rentals are licensing/permitting or prohibition. How cities regulate short-term rentals varies in what constitutes “rental,” what accommodations are subject to regulation, the location of the property, and other respects. For information on cities and counties that have taken steps to regulate these situations, contact the League Research and Information Department at (651) 281-1200, (800) 925-1122, or research@lmc.org.

**Should cities regulate short-term rentals?**
This is a decision for each city to make. If a city chooses to ban short-term rentals, it will have to figure out how to enforce a ban on what can be difficult to detect and yet is an increasingly popular phenomenon.

If a city licenses or otherwise permits these situations, it will have to find a way to do so that doesn’t discourage participation in the regulation. There are certainly reasons to, at the very least, have a record of the short-term rentals being made available within the city and to have a person to contact in the event there are complaints by neighbors. Again, the state or its delegated licensing authority is eager to work with cities to maintain state licensing compliance.

If you have questions about short-term rentals, contact the League Research and Information Department at (651) 281-1200, (800) 925-1122, or research@lmc.org.

**Read the current issue of the Cities Bulletin**

[Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp]
Planning Commission revises ordinance on house rentals

By Matthew Liedke on Mar 30, 2018 at 2:50 p.m.

BEMIDJI—The Greater Bemidji Area Joint Planning Commission approved an ordinance to regulate short term rentals Thursday, with a few of their own additions.

Short term rentals, as classified in the ordinance, refers to a dwelling unit or portion of a dwelling unit that’s rented for a period of less than 30 consecutive days at a time. The term doesn’t include bed and breakfasts, motels, hotels or resorts.

The use of those rentals, such as Airbnbs, which markets rentals worldwide, has skyrocketed in recent years. This is especially true in Minnesota, where multiple rentals came about when the Super Bowl was held in Minneapolis.

For the Bemidji area, talk of local rentals and an ordinance to regulate them began to form last year. Currently, there are four short-term vacation rental units in the jurisdiction of the Greater Bemidji Area Joint Planning. Because of concerns raised in 2017 with the rentals, though, a moratorium was put in place in November until a new ordinance was developed.

The original ordinance only required an individual looking to rent their property to have an interim use permit. However, the new ordinance, reviewed Thursday, would add a requirement for the owner to get an annual renting permit along with an interim use permit. The annual permit for short term rentals would allow planning staff to go out to the site and conduct inspections.

Other rules set by the new ordinance include:

• Allowing only two people per room in the house.

• All guest parking must be accommodated on improved surfaces on the premises and shall comply with all parking standards. No on-street parking is allowed for guests.

• Each permittee shall maintain a transient guest record for their property. This record will include the name, address and phone number of guests. Additionally, this record will have the number of guests and lodging tax data.

• The city nuisance ordinances will be enforced by the Bemidji Police Department and the Beltrami County Sheriff’s Office, including between 10 p.m. and 7 a.m.

• No events are allowed to be hosted by the guest on the premises of a rental. An event is described as a gathering of more than four un-registered guests.

• The permittee must designate a managing agent or a local contact who resides within 30 minutes of the property and can respond within 24 hours for any complaints.

• Enforcement and permit revocation is attached to the ordinance. If a permittee has violated the ordinance on three separate occasions in a 12-month period, the Joint Planning Board can revoke the rental permit.
Complaints against a short term rental shall first be directed to the agent/contact. If there is a failure to respond, the complaint will then be addressed by either law enforcement or planning staff.

During a public hearing on the ordinance Thursday, some residents who live near existing rental homes discussed concerns on allowing them to continue. During their time to speak, some of the residents cited cities such as Apple Valley and Edina, which do not allow these rentals. Residents also stated that the concept of rentals is a business opportunity for a few at the expense of many.

After the public hearing, the JPC added new language to the ordinance, such as a 600 foot density rule. The rule will not allow a short term rental to be within 600 feet of another rental property. Another rule was adding a 90 rental day limit on properties in a calendar year.

The JPB will hold a meeting on April 11 and will have the option to either vote on the original version presented Thursday or the version that includes the JPC’s additions.

Matthew Liedke is the city, county and state government reporter for the Bemidji Pioneer. He also covers business, politics and financial news.

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ORDINANCE NO. 865

AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA AMENDING CHAPTER 38 – OFFENSES AND MISCELLANEOUS PROVISIONS OF THE BAYPORT CITY CODE, BY ADDING ARTICLE VI. – SHORT-TERM RENTALS

THE CITY COUNCIL OF THE CITY OF BAYPORT DOES HEREBY ORDAIN:

Section 1. The following article is added to the Bayport City Code, Chapter 38 – Offenses and Miscellaneous Provisions:

ARTICLE VI. – SHORT-TERM RENTALS

Sec. 38-90. Findings and purpose.

The city is committed to maintaining the quality of life and has a compelling interest in protecting the character of its residential neighborhoods. The city finds that short-term rentals located in residential zoning districts constitute commercial use of residential property, conflict with the residential nature of the zoning districts, disrupt the residential nature of neighborhoods, and have a negative impact on the livability of residential neighborhoods. Therefore, in order to ensure adequate and stable housing options for residents, preserve the residential character of the city’s residential zoning districts, and provide for the health, safety and welfare of its residents, the city determines that it is appropriate to limit short-term rentals to hotels, motels and similar accommodations which are appropriately zoned and have the appropriate infrastructure and services for short-term use.

Accordingly, the city deems it necessary to define and prohibit the short-term rental of residential dwelling units based on these findings:

(a) Short-term rental of private homes for temporary occupancy threatens the essential character and stability of residential neighborhoods because short-term tenants have little interest in the welfare of the local community, do not engage in activities that strengthen residential neighborhoods, and do not integrate into residential neighborhoods.

(b) Short-term rental of private homes for temporary occupancy disturbs otherwise stable residential neighborhoods by creating the potential for excessive noise, accumulation of refuse, trespassing, disorderly conduct, vandalism, frequent occupant turnover, increased traffic, and decreased parking.

(c) Short-term rental of residential homes for temporary occupancy is often undertaken without adequate on-site management by the property owner or some other responsible person, compliance with state and local codes, and other safeguards.

(d) Prohibiting short-term rental of private homes for temporary occupancy is necessary to protect the essential character of residential neighborhoods and the health, safety, and welfare of the community.
Sec. 38-91. Definitions.

For the purpose of this article, the following words and terms are defined as follows:

*Operator:* a property owner, person, enterprise, or agency responsible for operating a short-term rental.

*Person(s):* an individual or group of individuals.

*Rental:* an arrangement between an operator and transient whereby compensation in the form of money, goods, labor, consideration, or otherwise is charged, whether or not received, in exchange for the right to use or occupy a residential structure.

*Short-term rental:* a process by which any residential structure, or portion thereof, is rented to a transient for less than thirty (30) consecutive days in a residential zoning district or planned residential development zoning district.

*Transient:* any person who, at their own expense or at the expense of another, exercises or is entitled to occupancy or possession of a short-term rental, by reason of any rental arrangement, agreement, concession, permit, right of access, option to purchase, license, time sharing arrangement, or any other type of agreement for a period of less than thirty (30) consecutive days. Any individual who is related by blood, marriage, adoption or foster care arrangement to the property owner is not a transient.

Sec. 38-92. Short-term rental activity prohibited.

Short-term rental of any parcel zoned residential or structure operated as a residential dwelling unit or units by an operator to any transient is prohibited. State licensed hotels, motels and lodging establishments located outside residential or planned residential development zoning districts shall be regulated per Appendix B-Zoning of the Bayport City Code of Ordinances.

Sec. 38-93. Existing short-term rentals; inspection and compliance procedures.

Short-term rentals existing at the time this article is adopted, pursuant to the city enabling such ordinance, shall cease within sixty (60) days of ordinance publication. Extensions may be granted by the city administrator or his/her designee, in his/her sole discretion, for good cause and with appropriate documentation. The city may inspect a premises in existence as an unlawful short-term rental, or which is reasonably believed to be in violation of the prohibitions of this article to verify compliance. The city also may require a property owner to produce a rental agreement, lease, contract, or similar documentation to verify the subject property is not being used as a short-term rental.

Sec. 38-94. Violations and penalties.

(a) The violation of any section of this article shall be considered a misdemeanor as defined in Chapter 25 – Prohibited Acts and Penalties of the Bayport City Code of Ordinances punishable by a fine or imprisonment, at the discretion of the court. Each day any violation of any section of this article continues shall constitute a separate offense.

(b) The city may bring an action to restrain, enjoin or abate violations of this article.
Section 2. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of Bayport, Minnesota, this 8th day of January, 2018.

ATTEST:

______________________________
Susan St. Ores, Mayor

Adam Bell, City Administrator
ORDINANCE NO. ___, THIRD SERIES

CITY OF ORONO
HENNEPIN COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ORONO MUNICIPAL CODE
BY ADDING ARTICLE IV TO CHAPTER 26 AND AMENDING SECTION 26-31
REGARDING SHORT-TERM RENTAL LICENSING

THE CITY COUNCIL OF ORONO ORDAINS:

SECTION 1. Section 26-31 Definitions of the City of Orono Municipal Code is hereby amended by adding the following text:

Rent shall mean, for the purpose of this definition, leasing, subleasing, letting or hiring for occupancy.

Short-term rental shall mean the rental to a person or group of persons a residential unit for a period of less than thirty (30) consecutive calendar days in a zoning district where residential uses are allowed.

Short-term rental property means a parcel of real property and includes the premises upon which a short-term rental unit is located and the parking areas, driveways, landscaping, accessory structures, fences, walls, swimming pools, hot tubs, and spas.

SECTION 2. Article IV. – Short Term Rentals of the City of Orono Municipal Code is hereby added by adding the following text:

Section 26-80 – Short term rental
(a) Required. It is unlawful for any person to rent their property for a period less than 30 days without first having obtained a Business License as outlined in Article II of this chapter. [Section 26, paragraphs 31 through 42]
(b) Regulation. No license may be issued unless all of the following are complied with:
1. The owner shall ensure that the occupants and guests of a short term rental unit do not create unreasonable noise or disturb ance in disorderly conduct or violate provisions of the City of Orono Code or any State law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs. Owners are expected to take any measures necessary to abate disturbances including, but not limited to directing the occupants and guests of a short term rental unit to cease the disturbing conduct, removing the occupant and/or guests or taking any other action necessary to immediately abate the disturbance.
2. The owner shall ensure that the property comply with all applicable codes regarding fire, building, and safety.

3. Short term rentals may be permitted at the owner’s principal place of residence only. Verification may include voter registration, or driver’s license.

4. The owner shall provide a twenty-four (24) hour emergency contact that will be available to respond to issues at the short term rental property within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of a rental unit.

5. The short-term-rental property must have a visible house number easily seen from the street day or night.

6. The short term rental property shall be used only for overnight lodging accommodations. They may not be used for parties (wedding, bachelor/bachelorette), conferences or similar events.

7. All advertising for the short term rental shall include the City issued license number.

8. The primary overnight and daytime occupant of a short term rental unit must be an adult eighteen 18 years of age or older. This adult must provide a telephone number to the owner and shall be accessible to the owner by telephone at all times.

9. The owner shall require all occupants to agree to a minimum stay of three 3 consecutive nights.

10. The owner shall limit overnight occupancy in a short-term rental unit to not exceed two 2 over the age of 5 persons per bedroom.

11. Two off street parking spaces shall be provided at minimum. The maximum number of vehicles allowed at a short-term rental property shall be limited to the number of available off street parking spaces.

12. The owner of a short-term rental property shall provide sufficient trash collection containers and service to meet the demand of the occupants.

13. The owner must be a natural person and not any type of corporation or partnership. The owner’s name must be on the deed to the property.

14. The City may conduct an inspection of the short term rental property as deemed necessary or prudent including without limitation based upon any complaints or violations that occur or prior to a renewal of a permit.

15. The owner will be required to provide the city and any guests with the name and telephone number of a contact person who can be at the property in 60 minutes. The contact person can be the owner.

(c) License period. Licenses shall expire December 31 of each year.

SECTION 3. EFFECTIVE DATE: This ordinance shall take effect immediately upon its passage and publication.

ADOPTED this ___ day of ______________, 2015 on a vote of ___ ayes and ___ nays by the City Council of Orono, Minnesota.

ATTEST:
Ordinance published in The Laker and The Pioneer newspapers the week of ________, 2015.
Short Term Rental Ordinance

Definition:
Short Term Rental Unit - a dwelling unit, as defined by this Chapter, offered for trade or sale, whether for money or exchange of goods or services, for not more than 28 consecutive nights.

The following standards apply to Short Term Rentals:

1. The minimum rental period shall not be more than 28 consecutive nights.

2. The permit holder (owner) of a short term rental must apply for and receive an Interim Use Permit. Owner occupied dwellings that are also short term rentals do not require an Interim Use Permit.

3. The application for an Interim Use Permit shall include:
   a. All information required for a Conditional Use Permit
   b. Floor plan of the structure, including the number of bedrooms with dimensions and all other sleeping accommodations
   c. A to-scale site plan which shows locations and dimensions of property lines, the dwelling unit intended for licensing, accessory structures, parking areas and shoreland recreational facilities.
   d. A plan for garbage disposal by the permit holder.
   e. A pet policy.

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

5. A permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100’ of the property boundary. The permit holder shall notify all property owners within 100’ of the property boundary within 10 days of a change in the managing agent or local contact’s contact information.

6. A permit holder must disclose in writing to their renters the following information:
   a. The managing agent or local contact’s name, address, and phone number
   b. The maximum number of guests allowed at the property
   c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked
   d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities
7. The occupancy of a short term rental shall be limited to not more than 2 people per bedroom.

8. Rooms used for sleeping shall be provided with egress windows and smoke detectors in locations that comply with the Minnesota state building code or the requirements of the Building Department, whichever is stricter.

9. The short term rental shall be connected to city sewer and water.

10. A short term rental shall have a full bathroom (sink, toilet and tub or shower).

11. Additional occupancy by use of recreational vehicles, tents, accessory structures or fish houses is not permitted.

12. The permit holder shall provide a physical visual demarcation of the property lines.

13. 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 Planning Department upon request.

14. A short term rental shall be a licensed 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 Brainerd’s rental housing maintenance code. Each unit shall be inspected annually by the rental housing inspector and the fire marshall.

15. The Planning Commission may impose conditions that will reduce the impacts of the proposed use on neighboring properties, public services, nearby water bodies, public safety and safety of renters. Said conditions may include but not be limited to - fencing or vegetative screening, native buffer along the shoreline, noise standards, duration of permit, restrictions as to the docking of watercraft, and number of renters.

16. A permit holder must post their permit number on all print, poster or web advertisements;

17. A permit holder must apply for and be granted state and local sales tax numbers, including hotel and motel use sales tax.
18. In addition to an Interim Use permit, short term rentals rented for less than 7
days are considered a hotel and are required to have a Minnesota
Department of Health License.

19. All short term rentals, operating prior to the effective date of these standards,
shall be in compliance with this section by September 1, 2017.