

**CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA**

ORDINANCE NO. 726

AN ORDINANCE AMENDING CHAPTER 20 AND CHAPTER 10
CHANHASSEN CITY CODE

THE CITY COUNCIL OF THE CITY OF CHANHASSEN, MINNESOTA ORDAINS:

Section 1. Section 20-961 of the City Code, City of Chanhassen, Minnesota, is hereby amended to read as follows:

Sec 20-961

Section 2. Chapter 10, Article 10-XI of the City Code, City of Chanhassen, Minnesota, is hereby established to read as follows:

Sec 10-230 Short Term Rental Licensing

(a) License Required. No property shall be used as a short-term rental without a license issued by the City. Licenses shall expire on February 1 of each year. Licenses must be renewed annually. Applications for the renewal of an existing license shall be made at least 45 days prior to the date of the expiration of the license, and shall state that everything in the prior applications remains true and correct except as otherwise indicated. The procedure for receiving a license shall be as follows:

(1) Application for a license shall be made to the city upon a form furnished by the City. A nonrefundable fee in the amount imposed in accordance with the fee schedule established by the city council. If a license application is made during the license year, the license shall be issued for the remainder of the year and the license fee shall be pro-rated, with any unexpired fraction of a month being counted as one month.

(2) In order to be issued a license the applicant must:

a. Provide the name and contact information, including a 24-hour telephone number, for the party responsible for managing the property.

b. State the maximum occupancy of the short-term rental.

1. The maximum occupancy shall be two adults per bedroom plus an additional two adults.

2. Accompanying children shall not count towards the occupancy limit.
 3. A property owner may request a higher occupancy limit in writing at the time of application. The City may approve or deny a higher occupancy limit after considering factors such as home size, number of beds, and distance from neighboring properties, and previous violation status. Increased occupancy limits may be revoked if the City determines that a violation of this section has occurred related to the increased occupancy limit authorized.
- c. State the maximum number of vehicles that may be parked overnight on the property. The maximum number of vehicles that may be parked overnight on the property shall be four vehicles. Vehicles parked in garages shall not be counted towards total number of allowable vehicles.
1. A property owner may request a higher overnight parking limit in writing at the time of application. The City may approve or deny a higher parking limit after considering factors such as the presence of off-street parking pads, driveway length and width,~~—and~~ availability of street parking, and previous violation status. Increased parking limits may be revoked if the City determines that a violation of this section has occurred related to the increased overnight parking limit authorized.
- d. Agree that the City has permission to access exterior areas of the property when responding to a reported violation of the standards in this section in order to ascertain if a violation has occurred.
- e. Not have any unresolved code enforcement or property maintenance cases.
- f. Not have had a short-term rental license revoked by the City of Chanhassen within the prior 365 days from the date of the short term rental license application.

(b) Standards. The following standards apply to all short-term rentals:

- (1) Listings advertising the property's availability for rent must state the license number, maximum occupancy permitted by the license, and the maximum number of vehicles that may be parked overnight on the property
- (2) An appropriate number of waste containers must be present to accommodate the amount of trash generated by the short-term rental. Waste may not be stored outside of approved containers. All waste containers must be stored outside of public view, except on day of collection.

- (3) Between 10:00 p.m. and 7:00 a.m. no more than the maximum number of overnight guests stipulated in the license may be present on the property.
- (4) Between 10:00 p.m. and 7:00 a.m. parking is limited to the maximum number of vehicles stipulated in the license.
- (5) At no time may vehicles be parked on grass or so as to completely obstruct access to neighboring residences such that ingress or egress is not possible, or obstruct the public right-of way, or emergency vehicle access.
- (6) The Good Neighbor Brochure provided by the city must be posted on the inside of the front door and the primary door to the backyard, or in a conspicuous location near each such door.
- (7) Property must have working smoke and carbon monoxide detectors in each bedroom or sleeping area and the owner must provide any transient renting the property with information regarding emergency egress.
- (8) Property must be in compliance with all state and local laws and regulations.

(c) Violations

- (1) Unlawful Acts: It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Section or other provisions of this code.
- (2) Complaints shall be submitted to the city in a timely manner for review by city staff who will assess whether or not the activity which generated the complaint constituted a violation of city code.
- (3) Notice of Violation: The code official shall serve a notice of violation on the licensee.
- (4) Prosecution Of Violation: If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the termination of the unlawful occupancy of the structure in violation of the provisions of this chapter or of the order or direction made pursuant thereto.
- (5) Violation Penalties: Any person who shall violate a provision of this section, or fail to comply therewith, or with any of the requirements thereof is guilty of a misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Licenses may be revoked or suspended for violations of this section.

(6) Abatement of Violation: The imposition of the penalties herein prescribed shall not preclude the city attorney from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building in violation of this section, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

(7) Fees and Charges: The property owner of record shall be responsible for any city costs in enforcing the provisions of this chapter including inspection fees, or other fees, charges or penalties that are imposed as permitted by law.

(d) Suspension and Revocation

(1) In the event of any potential health or safety violations, the City Manager may suspend the license until the violation is corrected.

(2) If a property with a short-term rental receives three notices of violation within a 365-day period, its short-term rental license shall be revoked. The license may be revoked after a single violation if the violation is not immediately corrected pursuant to a notice of violation.

(f) Licensee Appeal. The licensee may appeal the occupancy limit, parking limit, denial, suspension, or revocation to the city council. The licensee must file with the city clerk a notice of appeal within ten days of an issuance, denial, suspension, or revocation. The council shall consider the appeal at a regularly or specially scheduled council meeting on or after 15 days from service of the notice of appeal upon the city clerk by the licensee. Hearing on the appeal shall be open to the public and the licensee shall have the right to appear and be represented by legal counsel and to offer evidence in behalf of licensure. At the conclusion of the hearing, or as soon thereafter as practicable, the council may order:

(1) The denial, suspension, or revocation of the license.

(2) The denial, suspension, or revocation by the city manager be lifted and the license be returned to the licensee.

(3) Additional terms, conditions and stipulations to be imposed on the licensee to mitigate problems.

(4) A higher occupancy or parking limit than approved by the City.

Section 3. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND ADOPTED this 13 day of May, 2024, by the City Council of the City of Chanhassen, Minnesota

Jenny Potter, City Clerk

Elise Ryan, Mayor

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