2006-Or-___

AN ORDINANCE OF THE CITY OF MINNEAPOLIS

By Hofstede

Repealing Title 13, Chapter 298 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lodging Houses.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the title of Chapter 298 of the Minneapolis Code of Ordinances be and is hereby repealed.

CHAPTER 298. LODGING HOUSES

Section 2. That Section 298.10 of the above-entitled ordinance be and is hereby repealed.

298.10. Definitions. *Department*: The department of licenses and consumer services.

Director: The director of licenses and consumer services.

Lodging house: Every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished regularly to roomers, for periods of one week or more, and having five (5) or more beds to let. "Lodging house" shall not include that part of a building or structure containing "shared-bath dwellings" as that term is defined in Chapter 244 of the Minneapolis Housing Maintenance Code. The term "lodging house" shall include fraternities and sororities as defined in the Minneapolis Zoning Code.

Sleeping room: Any room in a lodging house which is used, intended to be used, or offered or held out for use, as a place where roomers sleep. Where there are more than two (2) beds in a room, each two (2) beds in the room shall be considered a sleeping room for purposes of the license fee calculation in this chapter. Fractions shall be rounded down.

Section 3. That Section 298.15 of the above-entitled ordinance be and is hereby repealed.

298.15. No modification of zoning code intended. (a) The purpose of this chapter is to meet the requirements in Minnesota Statutes, Chapter 157, for licensing of lodging houses. Nothing contained in this chapter is intended to modify the definition of a rooming house or lodging house in the zoning code, nor to enlarge rights under the zoning code, nor to legalize any use or activity which is not a valid permitted, conditional, or nonconforming use under the zoning code.

- (b) The issuance of a lodging house license shall not be construed as authorizing a use which is not authorized by the zoning code.
- Section 4. That Section 298.20 of the above-entitled ordinance be and is hereby repealed.
- **298.20.** License required. Every person who operates, maintains, or holds out to the public that he or she operates or maintains, a lodging house, shall first obtain a license as required in this chapter.
- Section 5. That Section 298.25 of the above-entitled ordinance be and is hereby repealed.
- **298.25.** Exceptions. No lodging house license shall be required for any lodging house holding a health care license issued by the Minnesota Department of Health.
- Section 6. That Section 298.30 of the above-entitled ordinance be and is hereby repealed.
- **298.30.** Operation without a license prohibited. No person shall operate, maintain, or hold out to the public that he or she operates or maintains, a lodging house, without a valid license issued under this chapter.
- Section 7. That Section 298.40 of the above-entitled ordinance be and is hereby repealed.
- **298.40.** Expiration. Every lodging house license shall expire on November first of each year, subject to renewal year to year thereafter. An application for renewal shall be filed in the department at least thirty (30) days before expiration of the license.
- Section 8. That Section 298.50 of the above-entitled ordinance be and is hereby repealed.
- **298.50.** License fees. The annual license fee required under this chapter for a lodging house or a lodging house with boardinghouse shall be as established in Appendix J, License Fee Schedule.

The license fee for a lodging house with boardinghouse shall be a combined license fee, and the licensee shall not be required to pay the license fee prescribed for a boardinghouse under Chapter 188. The director may issue a single license certificate for a lodging/boardinghouse, indicating that the owner holds both a lodging house and a boardinghouse license.

- Section 9. That Section 298.60 of the above-entitled ordinance be and is hereby repealed.
- **298.60.** Hotel units in same building. An applicant who operates hotel units in the same building or structure containing a lodging house shall be required to hold a hotel license as well as the license required in this chapter.

Section 10. That Section 298.70 of the above-entitled ordinance be and is hereby repealed.

298.70. Application. Application for a license under this chapter shall be made on forms provided by the department and shall contain the following information:

- (a) Name, business address, and home address of the applicant;
- (b) If the applicant is a corporation or partnership, the names and addresses of the shareholders, officers, directors, or partners;
- (c) Street address and telephone number of the lodging house to be licensed;
- (d) Name, address, and telephone number of the local manager of the lodging house;
- (e) The exact area of the building or structure proposed to be used as a lodging house, including room numbers if not all of the units are lodging house units. The applicant shall indicate the room numbers of all hotel units, apartment units, and other nonlodging house units in the building or structure;
- (f) Such other information as the director may require to carry out the purpose of, and verify compliance with, this chapter.

Section 11. That Section 298.80 of the above-entitled ordinance be and is hereby repealed.

298.80. Conditions. A licensee under this chapter shall comply with all of the following requirements. The city council may revoke, suspend, refuse to issue, or refuse to renew, any license for failure to comply with the requirements of the following codes:

- (a) Minneapolis Fire Code;
- (b) Minneapolis Health Code;
- (c) Minneapolis Building Code;
- (d) Minneapolis Housing Maintenance Code;
- (e) Minneapolis Zoning Code.

Section 12. That Section 298.90 of the above-entitled ordinance be and is hereby repealed.

298.90. Inspection. Pursuant to the authority granted in Minnesota Statutes, section 157.04, a duly authorized inspector of the City of Minneapolis may enter and have access to a lodging house at any time during the conduct of business thereon, for the purpose of verifying compliance with the provisions of this chapter.

Section 13. That Section 298.100 of the above-entitled ordinance be and is hereby repealed.

298.100. Revocation, suspension, refusal to issue or renew. In addition to the grounds set forth in section 298.80, the city council may revoke, suspend, refuse to issue, or refuse to renew any license for any of the following reasons:

- (a) Fraud, misrepresentation, or bribery in securing a license;
- (b) False statement as to any material matter in the license application.