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**MILLE LACS COUNTY CODE OF ORDINANCES**

ORDINANCE NO.: ADMN-09

MILLE LACS COUNTY SHORT-TERM RENTAL LICENSE ORDINANCE

ARTICLE ONE: PURPOSE AND AUTHORITY

- 101 PURPOSE: It is the purpose and intent of this Ordinance to regulate short-term rentals within Mille Lacs County. To continue the allowed use of short-term rental units, but also mitigate possible adverse impacts to the health, safety, welfare, and quality of life of surrounding properties, as well as water and environmental quality, through the establishment of a licensing program for the review and approval of short-term rental unit operations.
- 102 SCOPE: Pursuant to Minnesota Statutes § 145A.01 through 145A.11, Chapter 157, Chapter 327, 375.51 through 375.55 and Minnesota Rules 4625.0100 through 4625.2300 relating to lodging establishments, including all subsequent amendments thereto, are hereby adopted by Mille Lacs County by reference.
- 103 INTENT: It is intended by Mille Lacs County that this Ordinance will promote the following:
- (1) Enforcement standards for the maintenance of short-term rentals.
  - (2) Local governance to promote health, safety, and wellness to Mille Lacs County citizens and patrons of short-term rentals.
- 104 EFFECTIVE DATE: The provisions set forth in this ordinance shall become effective on January 1, 2023.
- 105 JURISDICTION: The regulations herein governing Short-Term Rentals shall apply to all areas of the County, except those located within the boundaries of zoning authorities that have adopted and enforce Short-Term Rentals on their own behalf.

## ARTICLE TWO: GENERAL PROVISIONS

201 **DEFINITIONS:** Unless specifically defined, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have as defined in Minnesota Statutes and give this ordinance it's most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.

**BEDROOM:** An area that is (A) – a room designed for sleeping; or (B) – a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway. Architectural features that affect the use as a bedroom under this item may be considered in making the bedroom determination.

**OWNER:** Owner means the property owner or a person who has written designation to act on behalf of the property owner.

**SHORT-TERM RENTAL:** Any home, cabin, condominium or similar building that is advertised as, or held out to be, a place where sleeping quarters are furnished to the public on a nightly, weekly, or less than thirty (30) day time period and is not a bed and breakfast, resort, planned unit development whose legal documents regulate unit rentals, hotel, or motel.

**SSTS:** "Subsurface Sewage Treatment System" is either an individual SSTS as defined in Subpart 41 of rule 7080.1100 or a midsized SSTS as defined in Subpart 4 of rule 7081.0020, as applicable.

## ARTICLE THREE: ANNUAL LICENSE REQUIRED

301 **LICENSE REQUIRED.** No short-term rental may be operated without a valid Short-Term Rental license issued pursuant to this Ordinance.

302 **ENACTMENT.** All new Short-Term Rental operations as of the enactment date of this Ordinance shall obtain a license from the County prior to commencing operations.

303 **SEPARATE PARCELS.** A separate Short-Term Rental license is required for each unit on a parcel that has Short-Term Rental operations conducted in it.

304 **ANNUAL LICENSE.** All Short-Term Rental licenses are an annual license and must be renewed by January 31<sup>st</sup> each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity.

305 **PROPERTY ACCESS.** The Owner shall permit access to the property and all permitted units at any reasonable time for the purpose of inspection upon request by Mille Lacs County.

#### ARTICLE FOUR: LICENSE APPLICATION REQUIREMENTS

401 APPLICATION REQUIREMENTS. The following information shall be provided to the County on the Short-Term Rental license application:

(A) The name, mailing address, email address and telephone number of the owner of the Short-Term Rental home for which the license is to be issued.

(B) Physical address and parcel identification number.

(C) All other information that is requested on the Short-Term Rental License application.

(D) No application for initial or renewal license will be accepted if there are any past due property taxes or record of a violation with the Mille Lacs County Zoning Office on the property described in the license application.

402 APPLICATION PROCESS. Applications for Short-Term Rental licenses may be filled out online at the County's permitting website.

Once the application is received, along with supplemental information and payment of fee, Mille Lacs County will issue or deny the license in accordance with the timelines established under Minnesota Statute 15.99, during which time the County may contact the Owner for additional information. If the permit is denied, written communication will accompany the denial explaining the reasons for the denial, and the Owner may reapply once the conditions surrounding the application denial are corrected.

#### ARTICLE FIVE: GENERAL REQUIREMENTS

501 SEPTIC/SOLID WASTE:

(A) The Short-Term Rental must be connected to an approved SSTS, or served by a central sanitary sewer system.

(B) A valid Certificate of Compliance, which is a certificate that was issued on a new septic system installed within the past five (5) years, OR a copy of a compliance inspection form which was performed within the past three (3) years. Rental units being serviced by a holding tank are required to submit monthly pumping reports to the County.

(C) At least once every three (3) years thereafter the Owner shall provide an updated certificate of septic testing showing that the system is compliant for the number of bedrooms indicated in the application.

(D) Disposal of solid waste must comply with Mille Lacs County Solid Waste Ordinance, or its successor or replacement.

(E) Garbage, refuse, or recycling shall be stored completely enclosed within designated refuse containers. The owner or operator of the rental unit shall provide sufficient trash storage containers and service to accommodate the demand of the occupants.

502 OCCUPANCY.

(A) The overnight occupancy of a Short-Term Rental shall be limited to no more than four (4) people per bedroom plus one (1) additional person per unit.

(B) Use of recreational vehicles, tents, accessory structures or fish houses to obtain additional occupancy is prohibited.

(C) The licensee shall not advertise the property as containing any more than the number of bedrooms identified on the license.

(D) The licensee shall not advertise the property as available to more guests than the occupancy limit defined on the license.

503 NOISE. Quiet hours are between the hours of 10 pm to 7 am, Sunday through Thursday; and 12 am to 7 am, Friday and Saturday. The owner of the Short-Term Rental is expected to enforce this rule. Failure to do so may result in enforcement action as provided in Section 6.

504 PARKING. Parking cannot restrict access by emergency vehicles or the traveling public and shall not impede any ingress or egress of property owner. In addition, parking cannot encroach neighboring properties.

505 PROPERTY CONTACT INFORMATION. The Owner shall keep on file, with the County, and shall notify each renter, in writing, of the contact information for the Owner who shall be available 24 hours a day, seven (7) days a week, whenever the property is being rented for Short-Term Rental purposes. The Owner shall respond to any issue or complaint raised within one (1) hour of any such point of contact being notified of the issue or complaint. Property contact information shall be accessible to the public 24/7 on the Mille Lacs County website.

506 LICENSE FEES. License fees will be established by the Mille Lacs County Board of Commissioners and published in the County Fee Schedule.

507 MINNESOTA DEPARTMENT OF HEALTH LICENSE. It is the Owner's responsibility to contact the Minnesota Department of Health about lodging license requirements. Proof of this lodging license is required with the Mille Lacs County Short-Term Rental license application.

508 LICENSE TRANSFER The Short-Term Rental license shall not be transferrable upon any change in ownership of the licensed property, or otherwise.

## ARTICLE SIX: ENFORCEMENT

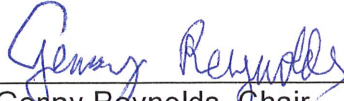
- 601 ENFORCEMENT. Mille Lacs County will investigate all complaints and alleged violations of this Ordinance. Mille Lacs County will follow up with all Owners and Complainants within a reasonable period of time. The Owner shall address any substantiated complaints/violations as directed by Mille Lacs County. All substantiated complaints/violations not resolved as directed will result in enforcement action as provided in Provision 604.
- 602 REVOCATION. If three (3) substantiated complaints/violations have occurred at a Short-Term Rental unit within one year, the license may be subject to revocation as determined by Mille Lacs County.
- 603 FALSE REPORTING. The intentional false reporting of a violation of this ordinance shall be considered a violation of this ordinance. The penalty for intentional false reporting of a violation will be \$100.00 for a first offense, \$150.00 for a second offense, and \$1,000.00 for a third or subsequent offense.
- 604 FAILURE TO COMPLY. Any Owner who fails to comply with a directive of Mille Lacs County as provided in Provision 601; or who violate, disobey, omit, neglect, refuse to comply with, or who resist enforcement of any of the provisions of this Ordinance may be subject to Misdemeanor prosecution, forfeiture of their license, or both.
- 605 REVOCATION PERIOD. Any license revoked under this section will not be reissued for a period of one (1) year from the date of revocation.

## SECTION SEVEN: APPEALS

- 701 APPEALS. Appeals may be brought forth in accordance with the procedures set forth in Provision 1202.1 of the Mille Lacs County Development Ordinance.

Passed and approved this 4<sup>th</sup> day of October, 2022 by the Mille Lacs County Board of Commissioners.

COUNTY OF MILLE LACS  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Genny Reynolds, Chair

ATTEST:

  
\_\_\_\_\_  
Dillon Hayes, County Administrator

**MOVED BY:** OSLIN  
**SECONDED:** PETERSON  
**IN FAVOR:** OSLIN, PETERSON, REYNOLDS, TELLINGHOUSEN  
**OPPOSED:** \_\_\_\_\_

Drafted by: Mille Lacs County  
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