

## AMENDMENT TO ORDINANCE SECTION 120.02

### AN ORDINANCE DEALING WITH THE REGULATION OF RENTAL PROPERTIES

#### Findings.

1. The Browns Valley City Council has adopted the Minnesota Basic Code as it has been amended and supplemented to be its city code, and that code has a provision dealing with the regulation of rental properties located within the City of Browns Valley.
2. There code contains a definition of what constitutes rental property, and that definition has caused confusion and concern over specifically which properties are subjected to be regulated pursuant to this section of the code.
3. The Browns Valley City Council believes it is in the best interests of the residents of the City of Browns Valley to modify its Ordinance concerning the definition of what constitutes rental property in the City of Browns Valley.

#### NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS AS FOLLOWS:

1. That Browns Valley City Ordinance Section 120.02 is hereby amended to add the following provision:

#### **“§120.02 DEFINITIONS.**

- (A) ***RESIDENTIAL RENTAL PROPERTY*** means any building, structure, room, enclosure, or mobile home including the real property upon which it is located and which surrounds it, which is rented or offered for rent as living quarters. Nursing homes shall be specifically exempt from registration and license under this Section.
- (B) ***RENTAL*** means the leasing of a rental unit to a non-owner for a fixed or non-fixed period of time. This does not include property which is being transferred to a non-owner pursuant to a written agreement that is recorded at the Traverse County Recorder’s Office, such as a lease to buy, contract for deed, installment sale, purchase, or other similar arrangement whereby nonpayment of a periodic payment means the occupants may be evicted with the necessity of either a statutory mortgage foreclosure procedure, a statutory termination of contract for deed or other similar statutory repossession procedure.
- (C) ***PERSON*** includes natural persons as well as business entities, whether one or more.
- (D) ***ENFORCEMENT OFFICER*** means any person designated by the City to perform inspections and determine compliance with the applicable rules, standards, statutes and ordinances.”

PASSED AND ADOPTED this 26<sup>th</sup> day of September, 2011.

BROWNS VALLEY CITY COUNCIL

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Brenda Bartz, Mayor

ATTEST:

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Jeff Cadwell, City Administrator

Motion:	Fryer
Seconded:	Powers
Published:	October 4, 2011
Passed:	5-0