

Section 407 – Rental Licenses

407.01. Purpose. It is the purpose of this Section to assure that rental housing in the City is decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of rental dwelling units is a business enterprise that entails certain responsibilities. Operators are responsible to take such reasonable steps as are necessary to assure that the citizens of the city who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from crimes and criminal activity, nuisances or annoyances.

407.02. Preamble. The City believes that providing for public health, safety and welfare to its citizens mandates the existence of a rental dwelling unit license and maintenance program that corrects substandard conditions and maintains a standard for rental dwelling units.

407.03. Scope. This Section applies to all dwelling units that are leased in whole or in part as rental dwelling units. It includes accessory structures such as garages and storage buildings and appurtenances such as sidewalks and retaining walls, which are on the property. This Section does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, nursing homes, hotels or motels licensed by the City.

407.04. Definitions.

Subd.1. Apartment Building: Any building or portion thereof that contains three or more dwelling units, sleeping rooms, or a combination thereof but not including condominiums or town homes.

Subd. 2. Building Official: The Building Official for the City of Hopkins or his/her duly authorized representative(s).

Subd. 3. City: Shall mean the City of Hopkins.

Subd. 4. City Council: Shall mean the City Council of the City of Hopkins.

Subd. 5. Condominium: Condominium is a single dwelling unit in a multi-dwelling unit building that is separately owned and may be combined with an undivided interest in the common areas and facilities of the property. Each individual owner may sell or encumber his/her own unit.

Subd. 6. Denial: As used in the City of Hopkins Ordinances is the refusal to grant a license to a new or renewing applicant by the City.

Subd. 7. Dwelling Unit: Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

Subd. 8. Dwelling, Single-Family: A building or portion thereof containing one dwelling unit. For purposes of this Section, a single family dwelling unit includes a free standing single family residence, a single dwelling in a cooperative, an individual condominium or townhouse, a single dwelling unit in a non-residential structure or a dwelling unit offered for rent in a duplex in which the owner occupies the other dwelling unit.

Subd. 9. Dwelling, Two-Family: A building or portion thereof containing two dwelling units.

Subd. 10. Efficiency Dwelling Unit: A dwelling unit containing only one habitable room plus bathroom facilities.

Subd. 11. Lease: An oral or written agreement between a dwelling unit owner and a tenant for temporary use of a rental dwelling unit, usually in exchange for payment of rent.

Subd. 12. License: The formal approval of an activity specified on the certificate of license issued by the City of Hopkins.

Subd. 13. Rent: The consideration paid by a tenant to the owner of a rental dwelling unit for temporary and exclusive use of the rental dwelling unit by the tenant. The consideration is not limited to cash.

Subd. 14. Rental Dwelling Unit: A dwelling unit or sleeping room occupied and leased by a tenant.

Subd. 15. Revoke: To take back a license issued by the City of Hopkins.

Subd. 16. Sleeping Room: Any room or rooms used or intended to be used by a tenant for sleeping purposes with or without meals and not licensed by the Minnesota Department of Health.

Subd. 17. Suspend: To make a license temporarily inoperative.

Subd.18. Tenant: Any adult person granted temporary use of a rental dwelling unit or sleeping room pursuant to a lease with the owner of the rental dwelling unit.

Subd. 19. Townhouse: A single-family dwelling constructed in a group of dwellings attached to each other and where each dwelling unit extends from the foundation to the roof and is separated from other dwelling units by property lines.

407.05. Rental License.

Subd. 1. Required. No person shall operate, let or cause to be let, a rental dwelling unit, which has not been properly licensed by the City of Hopkins in the manner required by this Ordinance. A license must be obtained for each residential dwelling unit except, two or more residential dwelling units located within a single building and having a common owner and a common property identification number shall require only a single license. Upon receipt of the properly executed initial application for a rental license, the building official may cause an inspection to be made of the rental dwelling unit(s) to determine whether it is in compliance with Section 405, other Hopkins ordinances, and the laws of the State of Minnesota. Every rental dwelling unit may be re-inspected after a renewal application is filed to determine if it still conforms to all applicable codes and ordinances.

Subd. 2. Criminal Background Check. The licensee shall conduct criminal background checks on all prospective tenants. The criminal background check must include the following:

- a) A statewide (Minnesota) criminal history check of all prospective tenants covering at least three years; the check must be done utilizing the most recent update of the state criminal history files;
- b) A statewide criminal history check from the prospective tenant's previous state of residence, if available, if the tenant is moving directly from the previous state;
- c) A criminal history check of any prospective tenant in their previous states of residence, if available, covering the last three years if they have not resided in Minnesota for three years or longer;
- d) A criminal history check of any prospective tenant must be conducted in all seven counties in the metro Twin City area (Hennepin, Ramsey, Anoka, Carver, Dakota, Scott and Washington) covering at least the last three years including all misdemeanor, gross misdemeanor, and felony convictions.

Subd. 3. Disorderly Behavior Lease Provisions. All tenant leases shall contain crime-free drug-free provisions or equivalent that prohibits the disorderly behavior identified in section 407.13. These lease provisions shall be incorporated into every new lease for a tenancy beginning February 14, 2008 or the day this ordinance is officially adopted by the City of Hopkins and all renewed leases by January 1, 2009.

Subd. 4. Application Filed. A license application shall be submitted to the building official on forms furnished by the City of Hopkins and must contain the following information:

- a) Name, address, and telephone number of the owner of the rental dwelling unit(s). This is the address that all future correspondence from the city will be sent to. Owner shall indicate if the owner is a corporation, partnership, or sole proprietorship.
- b) Name, address, and telephone number of any owner's agent responsible for the management of the rental dwelling unit(s).
- c) Street address of the rental dwelling unit(s).
- d) Number and type of dwelling units (one (1) Bedroom, Two (2) Bedrooms, etc....)
- e) Owner shall certify compliance with the requirement for conducting background checks on perspective tenants found in Subd. 2.
- f) Owner shall certify compliance with the requirement to include disorderly behavior lease provisions required in Subd. 3.

Subd. 5. Changes in Ownership and Amended Licenses. A license is not assignable. Any changes occurring in the ownership of a rental dwelling unit(s) require a new license. The new owner must obtain a new license within thirty (30) days of acquiring the property. The fee paid for the new license shall be the fee required for an initial license. If any changes occur in any information required on the license application, the owner must submit an amended license application to the City within thirty (30) days of the change. If any rental dwelling units are added to a current license, the additional rental dwelling units must be licensed by amendment of the current license and must be accompanied by the fee required for the additional units.

Subd. 6. Annual Licensing. All rental dwelling units shall be licensed before being let, in whole or in part. Licenses will expires annually at midnight on October 31. The license for each building containing rental dwelling units must be renewed annually on or before October 31. Rental dwelling units must be registered as a sleeping room, a single-family dwelling, a two-family dwelling, or an apartment building. Any unlicensed rental dwelling units are subject to penalties.

Exemptions: Rental licenses are not required for dwelling units that an immediate relative occupies. For the purpose of this exemption, relative shall be defined as a husband, wife, father, mother, son, daughter, brother, sister, grandson, granddaughter, grandfather, or grandmother.

Subd. 7. License Fee. All license fees required by this section are set forth by City Council resolution. These must accompany the license application. The license fee is doubled when an application is received more than thirty (30) days after it was due.

Exception: Rental dwelling units owned or under the control of the City must be licensed but are exempt from paying license fees.

Subd. 8. Inspection Fee. Inspection fees will be charged at the time dwelling units are inspected. Inspection fees required by this section are set forth by City Council resolution.

Subd. 9. Record Retention. The license application and all other documents pertinent to a rental dwelling unit shall be kept on file in the office of the building official. A copy shall be furnished to the owner or other authorized person upon request.

407.06. Issuance of License. The City shall issue a license if the rental dwelling unit(s) and the application are found to be in compliance with the provisions of section 407.09 and any required license fees are paid. A license will be issued for each residential dwelling unit except, two or more residential dwelling units located within a single building and having a common owner and a common property identification number shall be issued a single license. This ordinance does not require posting of Rental licenses, however the property owner or agent for the owner must be able to present the license if asked to do so.

407.07. Minimum Inspection Standards. The minimum standard to be used for inspections, pursuant to section 407.09, for compliance with the Property Maintenance Code for buildings as adopted and amended by Hopkins Ordinance Section 405, et seq., and shall include the inspection of the building exterior, the common areas and the basement. In addition, if there are ten (10) or fewer individual dwelling units in the building, minimum inspection requirements include inspecting fifty (50) percent of the individual dwelling units, with a minimum of at least one (1) dwelling unit. If there are between eleven (11) and twenty-four (24) individual dwelling units, inclusive, in the building, minimum inspection requirements include inspecting five (5) individual dwelling units in the building. If there are twenty-five (25) or more individual dwelling units in the building, minimum inspection requirements include inspecting twenty (20) percent of the individual dwelling units. The specific individual dwelling units to be chosen for inspection shall be determined pursuant to inspection division policy.

If the rental dwelling structure is considered to be “substandard” as defined by section 407.10, the building official or authorized representative may inspect additional units, up to all of the units in the building.

407.08. Inspection guidelines. The Building Official shall adopt a policy for inspecting all rental dwellings, which are required to be licensed under this article, consistent with inspection procedures set forth in this section. The policy shall contain objectives for the systematic inspection of all rental dwellings and priorities for the use of scarce inspection resources. The guidelines may be based upon any of the following factors and any other factors deemed by the director to promote an efficient inspections program:

- a. Geographic distribution and concentration of rental dwellings.
- b. Rental dwellings with delinquent property taxes.
- c. Property identified by the inspections division as having an excessive number of housing code violations or a history of noncompliance or slow compliance with housing inspection orders.
- d. Rental dwellings for which no license has been obtained.
- e. Rental dwellings with an excessive number of police calls for drug offenses, prostitution, crimes of force or violence, and loud disturbances or parties.
- f. Sale of the equitable interest in a rental dwelling property.
- g. Conversion of homesteaded dwelling units to rental dwelling units.

407.09. Licensing standards. The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for denial, refusal to renew, revocation, or suspension of a rental dwelling license.

- (a) The licensee or applicant shall have paid the required license fee.
- (b) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the zoning ordinance.
- (c) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the zoning ordinance or the Property Maintenance Code.
- (d) The rental dwelling shall not have been used or converted to rooming units in violation of the zoning ordinance.

- (e) The owner shall not allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition. If the city is required to abate such nuisance conditions under section 605.02 of the City Code, or collect, gather up or haul solid waste more than three (3) times during a period of twelve (12) months or less, it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license.
- (f) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 407.10.
- (g) The licensee or applicant shall have paid the required initial inspection and reinspection fees.
- (h) The licensee or his or her agent shall allow the building official or authorized representative to perform a rental license review inspection as set forth in section 407.12.
- (i) There shall be no delinquent property taxes or assessments on the rental dwelling.
- (j) There is no active arrest warrant for a Property Maintenance Code or Zoning Ordinance violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.
- (k) Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 407.14 or a combination of revocations or cancellations shall be ineligible to hold or have an interest in a rental dwelling license for a period of five (5) years.
- (l) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 407.14.
- (m) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the housing inspector in accord with the provisions of section 407.05

407.10. Substandard dwelling. A rental dwelling structure shall be considered substandard if:

- (a) At least one dwelling unit within the structure scores twenty-five (25) or more points; or
- (b) The entire structure scores more than the points shown below based on the number of units within the structure:

TABLE INSET:

<i>Number of Units</i>	<i>Total Points</i>
<i>1</i>	<i>25</i>
<i>2</i>	<i>30</i>
<i>3</i>	<i>35</i>
<i>4</i>	<i>40</i>
<i>5 or more</i>	<i>10 points per unit; or</i>

- (c) Any major violation within the dwelling remains uncorrected. Any single violation scoring six (6) or more points is considered a major violation.

For purposes of the point calculation in this section, any combination of four (4) rooming units or shared bath units shall constitute one (1) dwelling unit. Points for a violation in a common area of the structure outside a dwelling unit will not be cumulative on a unit-by-unit basis. However, twenty-five (25) or more points in the common areas of a structure, including, but not limited to, the entryways, corridors, community rooms, exterior walls and roof, will constitute a substandard structure.

The Building Official shall cause to be prepared and shall keep on file for public inspection a rental licensing inspection deficiency point system used in the point calculation procedure set forth herein. The Building Official or authorized representative shall assign points according to the severity of each code violation on a scale from one up to the maximum points possible for such violation. Except when otherwise provided by state law, conditions in the design or structure of a building, such as, but not limited to, the size and dimension of rooms and windows and the electrical and plumbing systems that were legal under existing codes when built shall not be violations as long as they are maintained in good repair. A violation shall receive maximum points when a required item is completely absent, completely fails to perform its function, or is imminently hazardous to the health or safety of the occupants.

407.11. Authority. The Building Official shall be responsible for enforcement and administration of this ordinance. Authority to take any action authorized under this section may be delegated to the building official's authorized designee.

407.12. Inspection. The Building Official may set up a schedule of periodic inspections to insure compliance with this Section. The building official shall provide reasonable notice to the owner or the owner's agent as to the date and time of the inspection. Each occupant of a rental dwelling unit shall give the owner or the owner's agent access to any part of such rental dwelling unit at reasonable times for the purpose of effecting inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this Ordinance. If any owner, owner's agent or tenant of a rental dwelling unit fails or refuses to permit entry to the rental dwelling unit under his/her control for an inspection pursuant to this Ordinance the building official may seek a Court Order authorizing such inspection.

407.13. Disorderly Behavior at Licensed Rental Dwelling Units.

Subd. 1. Responsibility. It shall be the licensee's responsibility to ensure that the tenants, the tenants' family members and the guests of any tenant or tenant's family member not engage in disorderly behavior in the rental dwelling unit. For the purposes of this section, rental dwelling unit shall include common areas in the building where the rental dwelling unit is located.

Subd.2. Disorderly Behavior. For the purposes of this section, disorderly behavior may include but is not limited to the following:

- a) Drug-related illegal activity in the rental dwelling unit. "Drug-related illegal activity" means the illegal possession, manufacture, sale, distribution, purchase, use, or possession with intent to manufacture, sell, or distribute a controlled substance (as defined in the Controlled Substance Act [21 U.S.C. 802]) or possession of drug paraphernalia (MS 152.092). A tenant shall be deemed to be in possession of a controlled substance if any amount is located in the tenant's rental dwelling unit even if the tenant claims not to know the controlled substance was present unless the tenant provides a sworn statement by a person, other than another tenant or tenant's family member, that the controlled substance was theirs and the tenant had no knowledge of the controlled substance.
- b) Acts of violence or threats of violence including but not limited to discharge of firearms, prostitution, intimidation, or any other act that otherwise jeopardizes the health, safety or welfare of the licensee, his agents or tenants.
- c) Violation of Minnesota Statute, Section 609.72 (Disorderly Conduct)
- d) Violation of Minnesota Statutes 609.74 and 609.745 (Public Nuisance)
- e) Violation of Minnesota Statutes 609.66, Subd.1a, 609.67 or 624.713 (Unlawful use or possession of a firearm or weapon)
- f) Violation of Minnesota Statute 609.50 (Obstructing Legal Process)
- g) Violation of Hopkins Code 2005.01, Subd. 1 or Subd. 2, (Firearms).

- h) Violation of Hopkins Code 2005.59, Subd. 8 or Subd. 12 (Nuisances)
- i) Violation of Hopkins Code 2005.61 (Noise)

Exceptions: 1. An “emergency call,” within the definition of Minnesota Statutes section 609.78, subd. 3, will not be considered an instance of disorderly behavior for purposes of determining whether a license will be denied, suspended, non-renewed or revoked where the victim and suspect are “Family or household members” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B 01, Subd.2 (b) and where there is a report of “Domestic Abuse” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B 01, Subd. 2 (a).

2. An “emergency call,” within the definition of Minnesota Statutes section 609.78, subd. 3, will not be considered an instance of disorderly behavior for purposes of determining whether a license will be denied, suspended, non-renewed or revoked where the call is a result of a tenant, a member of a tenant’s household, or guest taking action to seek emergency assistance that is protected by Minnesota State Statute 504B.205, Residential tenant’s right to seek police and emergency assistance.

Subd. 3. First Instance. Upon determination by the building official that a rental dwelling unit was the location of disorderly behavior, the building official shall notify by first class mail the licensee and tenant of the violation and direct the licensee to take steps to prevent further violations.

Subd. 4. Second Instance. If a second instance of disorderly behavior occurs at a rental dwelling unit within twelve (12) months of the time a notice was sent for previous disorderly behavior at the same unit, the building official shall notify by first class mail the licensee and the tenant of the violation and direct the licensee to submit, within ten (10) days of the date of the notice, a written report of all actions taken by the licensee since the first violation notice and actions the licensee intends to take to prevent further disorderly behavior.

Subd. 5. Third Instance. If a third instance of disorderly behavior occurs at a rental dwelling unit within twelve (12) months after the first of two previous notices of disorderly behavior at the same unit, the rental dwelling unit license may be revoked, suspended or not renewed by the City Council upon the recommendation of the building official. The building official shall make his/her decision to recommend revocation, suspension or non-renewal of the license and submit his/her recommendation to the City Council within fifteen (15) days of the third instance of disorderly behavior.

Subd. 6. For purposes of this Section, second and third instances of disorderly behavior shall be those which:

- a) Occur at the same rental dwelling unit; or
- b) Involve tenants at the same rental dwelling unit; or
- c) Involve guests or invitees at the same rental dwelling unit; or
- d) Involve guests or invitees of the same tenant; or
- e) Involve the same tenant.

Subd. 7. Postponing License Action. No adverse license action shall be imposed where the instance of disorderly behavior occurred during pending eviction proceedings (unlawful detainer) or within thirty (30) days of notice given by the licensee to a tenant to vacate the rental dwelling unit. However, adverse license action may proceed when the licensee fails to diligently pursue the eviction process. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued at any time if the licensee has taken appropriate measures which will prevent further instances of disorderly behavior which may include a failed eviction process.

Subd. 8. Determining Disorderly Behavior of a License. A determination that the rental dwelling unit has been the location of disorderly behavior shall be made by a preponderance of the evidence to support such a determination. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly behavior, nor shall the fact or dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.

Subd. 9. Enforcement. Enforcement actions provided in this section shall not be exclusive, and the city council may take any action with respect to a licensee, a tenant, or the licensed rental dwelling unit(s) as is authorized by this ordinance or state law.

407.14. Revoking, Suspending, Denying or Not Renewing a License.

Subd. 1. The City Council may revoke, suspend, deny or decline to renew any license issued under this Section. In buildings containing more than one rental dwelling unit, the revocation, suspension, denial or declination may apply to one or more rental dwelling units at the discretion of the Council. The basis for such revocation, suspension, denial or non-renewal includes, but is not limited to, any of the following circumstances:

- a) The license was procured by misrepresentation of material facts with regard to the rental dwelling unit or the ownership of the rental dwelling unit.
- b) The applicant or one acting in his/her behalf made oral or written misstatements accompanying the application.
- c) The applicant has failed to comply with any condition set forth in any other permits granted by the City of Hopkins.
- d) The activities of the owner/agent create or have created a danger to the public health, safety or welfare.
- e) The rental dwelling unit contains conditions that might injure or endanger the safety, health or welfare of any member of the public.
- f) Failure to pay any application, penalty or reinstatement fee required by this Section and City Council resolution.
- g) Failure to correct violations of Hopkins City Code section 405 (Property Maintenance Code) in the time period specified in the notice of violation and correction.
- h) Following the third instance of disorderly behavior specified in section 407.13 that is not subject to the exception set forth in subdivision 2(i), Section 407.13, or the circumstances set forth in subdivision 7, Section 407.13.
- i) Violation of any regulation or provision of the code applicable to the activity, to which the license has been granted, or any regulation or law of the state so applicable.
- j) Failure to continuously comply with any condition required of the applicant for the approval or maintenance of the license.
- k) Any violation of this Section.

Subd. 2. Notification. The building official shall notify the owner or the owner's agent in writing of the basis for the revocation, suspension, denial or non-renewal and the date upon which the City Council shall review the request to revoke, suspend, deny, or not renew the license. The notice required by this section shall be served upon the owner or the owner's agent at least twenty (20) days before the City Council hearing. Service shall be deemed sufficient if the notice is sent to the owner or the owner's agent by first class mail at the address provided in the license application. It shall be the responsibility of the owner or the owner's agent to notify the tenant in writing of the hearing date, time and place.

Subd. 3. Hearing. The owner or the owner's agent and the building official shall be given an opportunity to be heard. The owner may be represented by counsel. Both sides may be permitted to examine the other side's witness(es). The Council shall hear all relevant evidence and arguments and shall review all testimony, documents, and other evidence submitted. The Council shall record the hearing and keep a record of documentary evidence submitted.

Subd. 4. Decision. The City Council shall make findings based on the evidence and shall make a decision on the recommendation to revoke, suspend, deny, or non-renew a license based on the findings. The City Council shall issue a written decision regarding the recommendation of the building official within 30 days following the date of the hearing and shall notify the appellant of the decision by first class mail with a duplicate copy to the building official. The decision shall specify the rental dwelling unit or units to which it applies, the duration of the revocation, suspension, denial or non-renewal, and the conditions that must be met before the license may be reissued or reinstated. Thereafter, and until a license is reissued or reinstated, no rental dwelling units that have had their rental license revoked, suspended, denied, or non-renewed may be re-let or occupied. Revocation, suspension, denial, or non-renewal of a license shall not excuse the owner from compliance with all terms of this section for as long as any rental dwelling units in the building are occupied.

Subd. 5. License Process after Revocation, Suspension, Denial or Renewal Declination. After the City Council revokes, suspends, denies or declines to renew a license, no license will be issued for the affected rental dwelling unit(s) until the building official determines that the applicant/licensee has remedied the conditions identified by the City Council as the basis for its action. An application to obtain a license for a rental dwelling unit after the City Council has revoked, suspended, denied or declined to renew a license for the same rental dwelling unit(s) must be accompanied by all fees required by this section.

407.15. Effect of Revocation, Suspension, Denial, or Non-Renewal. If a license is revoked, suspended, denied or not renewed by the City Council, it shall be unlawful for the owner or the owner's agent to thereafter permit the occupancy of the then vacant or, thereafter vacated, rental dwelling unit(s), until such time as a valid rental license is obtained for the rental dwelling unit(s). Issuance of a new license after revocation, suspension, denial or non-renewal shall be made in the manner provided for in Section 407.05.

407.16. Posted to Prevent Occupancy. Whenever any rental dwelling unit has been denied an initial license, had its license revoked, suspended, denied or not renewed it shall be posted by the building official to prevent further occupancy. No person, other than the building official shall remove or alter any posting. The building official will post the date the rental dwelling unit shall be vacated and no person shall reside in, occupy or cause to be occupied that rental dwelling unit until the building official permits it.

407.17. Penalties. A person who violates the provisions of Section 407 may be charged with a misdemeanor or be subject to the issuance of an administrative citation as provided in Section 355 or both. Each day that a violation continues shall be deemed a separate offense. The building official may post the rental dwelling unit by appropriate signs or notices prohibiting occupancy, and may act to cause the rental dwelling unit to be vacated or remain vacant until the Code violations are corrected.

407.18 No Retaliation: Per Minnesota State Statute Section 504B.205, Subd. 2, Emergency calls permitted. (a) A landlord may not: (1) bar or limit a residential tenant's right to call for police or emergency assistance in response to domestic abuse or any other conduct; or (2) impose a penalty on a residential tenant for calling for police or emergency assistance in response to domestic abuse or any other conduct. (b) A residential tenant may not waive and a landlord may not require the residential tenant to waive the residential tenant's right to call for police or emergency assistance.

407.19. No Warranty by City. By enacting and undertaking to enforce this Ordinance, the City, City Council, its agents, and employees do not warrant or guarantee the safety, fitness or suitability of any dwelling in the City. Owners and occupants should take whatever steps they deem appropriate to protect their interests, health, safety and welfare. (This section was added through Ord. No. 95-764) (Amended by Ord. 2002-890)

Section 407 was amended by Ord. 2008-994.