

CHAPTER 120: SHORT-TERM RENTAL *(Draft)*

120.01 Purpose and Intent. This ordinance is enacted for the following purposes: to promote the health, safety, and general welfare of the inhabitants of the City of Whalan by closely regulating the conduct of Short-Term Rental.

120.02 Definitions.

Subd. 1 Short-Term Rental. For the purpose of this Section, “Short-term Rental” means the rental of lodging for overnight stays on a daily or weekly basis of thirty (30) days or less.

120.03 License Required/Fees. It is unlawful for any person to operate a Short-Term Rental without a license from the City and also a license from the Minnesota Department of Health as appropriate. Application to the City must be made on a form provided by the City. The license issued by the City shall expire on December 31 of each year and must be renewed prior to January 31. Council shall establish a fee for the license by ordinance. A copy of the state license shall be provided to the City if requested. This ordinance shall become fully effective December 31, 2023.

Subd. 1 The number of short-term rentals shall be limited to 15 City licenses to be reviewed every five years. Resorts shall count as one license.

120.04 Waste Facilities. Solid waste/garbage facilities or containers shall be provided and must conform with City Code.

120.05 Other Standards. Short-term rentals in the City shall adhere to the following general standards.

Subd. 1 An operation guide shall be provided within the unit and shall contain the address of the unit, the maximum occupancy, property rules, quiet hours, parking information, solid waste disposal information, owner/designated manager contact information, copy of the license, rules governing the unit, emergency and nonemergency contact for the police and fire departments.

Subd. 2 Disorderly conduct shall be prohibited as outlined in Section 609.72 of the MN Statutes.

120.06 Severability and Savings Clause. If any Section or portion of this Ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or affect the validity and enforceability of any other Section or provision of this Ordinance.

120.07 Vested Interest. Licenses granted hereunder constitute a revocable, limited right. Nothing herein shall be construed as granting a vested property right. The City may revoke any license granted under this Section for failure to comply with any requirements set forth herein.

120.08 Sale or Transference of Short-Term Rental. When a currently licensed Short-Term Rental dwelling or unit is sold or transferred, the Short-Term Rental license shall be canceled if the new owner(s) fail to apply to re-register the Short-Term Rental and receive a new Short-Term Rental license within 180 days of the sale being recorded in Fillmore County.