

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-009-0

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 29A-32 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO OFF STREET PARKING REQUIREMENTS FOR RESIDENTIAL RENTAL PROPERTY.

BY COUNCILOR STAUBER:

The city of Duluth does ordain:

Section 1. That Section 29A-32 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 29A-32. Licenses--terms and conditions.

(a) Each license or copy thereof or placard at least 3"x5" with the same information noted below in this subparagraph shall be displayed in a conspicuous place so that it can be seen and read by a person outside the building and within the common way or near the main entrance of the dwelling and shall state the name, e-mail address and telephone number of the owner or managing agency, if applicable, which is managing the dwelling. Any permitted license rental will ensure there is a local point of contact (within a 25 mile radius) available on such license. No license shall be transferred to another dwelling or rental unit;

(b) If there is a change in either ownership or management of a dwelling, the person or agency managing such dwelling prior to such change in ownership or management shall give written notice of the name and address of the new owner and/or manager to the building official;

(c) A new license shall be issued to the dwelling for the remainder of the license period with the name of the new manager and/or owner upon payment of the required fee and submission of all required application forms;

(d) Any licensed one family or two family dwellings in a district zoned R-1-a, R-1-b or R-1-c shall provide a minimum of two

off street parking spaces. In addition, for each additional bedroom in excess of three, there shall be provided one additional off street parking space. Any off street parking spaces shall comply with the standards for off street parking set forth in Section 50-26. The number of required off street parking spaces shall be determined by the building official at the time of licensure. The owner shall ensure that all required off street parking spaces are cleared of snow to at least the required dimension of such spaces within 72 hours after the end of every snowfall;

(e) Except as otherwise provided in this Section, any licensed one family or two family dwelling, lawfully existing on September 1, 2007, may continue to be so used even though such use does not conform to the provisions of this Section. If the number of bedrooms is increased in a licensed one family or two family dwelling located in a district zoned R-1-a, R-1-b or R-1-c after September 1, 2007, the off street parking requirements of this Section shall apply to the entire licensed property. If the license for such nonconforming use is revoked or lapses for any period of time, any subsequent licensed use must comply with all provision of this Chapter;

(f) Expired pursuant to Ordinance No. 9909;

(g) Expired pursuant to Ordinance No. 9909;

(h) Expired pursuant to Ordinance No. 9909;

(i) In all residentially zoned districts restrictions shall not apply to short term licenses. Except as otherwise provided, the building official may issue short term licenses for a period not to exceed 12 consecutive months. A short term license may not be issued more frequently than once in any three year period. Such short term licenses shall be applied for in the same manner as other

rental licenses and all rental requirements for such dwelling unit shall otherwise meet all rental licensing requirements. A short term license may be issued for any single family or two family dwelling under the following circumstances:

(1) The owner is the current occupant of the dwelling unit, and

(2) For professional, educational or military service reasons the owner intends to reside in another community located at least 50 miles from the dwelling unit, and

(3) The owner provides sufficient evidence of such intention to temporarily relocate to the building official. Such evidence may include, but is not limited to written offers of employment, employment transfer directives, letter of acceptance from an educational institution, or military orders.

A short term license may be extended for an additional six months period provided that an application for extension is received prior to the expiration of the short term license and adequate evidence justifying such an extension is submitted with the application. The building official shall act upon such application for extension within 15 business days of delivery of the application.

The action of the building official is subject to appeal as provided in Section 29A-34;

(j) Expired pursuant to Ordinance No. 9909.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

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Attorney

CCREQ/ATTY MAL: jkw 1/26/2010

STATEMENT OF PURPOSE: This ordinance adds a requirement that the rental licensee is responsible for ensuring the removal of snow from required off street parking spaces within 72 hours of the end of a snowfall.