

**PUBLISHED JUNE 17, 2015**

**OFFICIAL PROCEEDINGS**

Excerpt from the minutes of the Duluth City Council meeting held on Monday, June 15, 2015, at 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

**ORDINANCE NO. 10390**

BY COUNCILORS RUSS, GARDNER AND SIPRESS:

AN INTERIM ORDINANCE PURSUANT TO MINN. STAT. § 462.355, SUBD. 4, AUTHORIZING A PLANNING STUDY OF THE CITY'S OFFICIAL CONTROLS RELATED TO VACATION DWELLING UNITS AND IMPOSING A MORATORIUM ON NEW PERMITS FOR VACATION DWELLING UNITS PENDING COMPLETION OF THE STUDY.

The city of Duluth does ordain:

Section 1. Statement of legislative intent.

By ordinance dated December 17, 2012 (Ord. No. 10192), the Duluth city council approved, for the first time, regulations governing short-term vacation dwelling units as interim permitted uses under Chapter 50 of the Legislative Code, currently codified at Duluth City Code §§ 50-19.8 and 50-20.3.U, as amended.

Following the opportunity of the council and city planning staff to observe the new controls in operation, along with the evolving impact and growth of short-term rental websites such as "Airbnb" and "VRBO," the council deems it necessary to commence a planning study of existing controls in order to, without limitation:

- Review existing enforcement measures for vacation/short-term rental violations;
- Consider the creation of a municipal vacation/short-term rental registry;
- Consider limitations on locations of vacation/short-term rentals;
- Consider requirements regarding the proximity of a caretaker or manager for vacation/short-term rentals;
- Review and consider other potential regulatory requirements for vacation/short-term rentals;
- Review and consider new enforcement measures or regulations for vacation/short-term rentals; and
- Review the Unified Development Chapter (UDC) for possible amendment relating to the locations of vacation/short-term rentals.

The council further finds that it is necessary to temporarily preserve the status quo regarding the city's current regulation of vacation dwelling units under Chapter 50 of the Legislative Code until the above-described planning study can be completed.

Accordingly, the council finds that an interim ordinance proscribing new permits for vacation dwelling units under Chapter 50 of the Legislative Code within the boundaries of the city for a period not to exceed 12 months is necessary to protect the planning process and to guard the health, safety and welfare of the city's residents.

Section 2. Planning study authorized.

Pursuant to Minn. Stat. § 462.355, subd. 4, the Duluth city council hereby authorizes a planning study of the city's official controls regulating vacation dwelling units under Chapter 50 of the Legislative Code for the purpose of protecting the planning process and the health, safety and welfare of its citizens.

Section 3. Moratorium imposed.

The city of Duluth hereby proscribes the issuance of new permits for vacation dwelling units under Chapter 50 of the Legislative Code within the boundaries of the city pending completion of the planning study and any related zoning enactments described in Section 1. This moratorium shall be effective until the expiration of 12 months following the effective date of its enactment, or until such earlier time as the council may have taken action to amend its official controls as a result of the planning study described in Section 1.

Section 4. That this ordinance shall take effect 30 days after its passage and publication.  
(Effective date: July 17, 2015)

Councilor Russ moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Filipovich, Fosle, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President  
Larson -- 9

Nays: None -- 0

ATTEST:  
JEFFREY J. COX, City Clerk

Passed June 15, 2015  
Approved June 15, 2015  
DON NESS, Mayor