

Definition:

Cap is defined as setting an upper limit on something.

Short-Term Rental is defined as any home, cabin or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly, weekly, or less than thirty (30) day basis for compensation.

Short Term Rental Permit Process

- A. **Purpose.** To provide the Township with reasonable regulation of short-term rentals that addresses public health and safety within Gnesen and are in line with the Town's Comprehensive Plan.
- B. **Review and Approval.** Short-term rental as defined in this ordinance as, or determined by the Zoning Officer to be, a short-term rental may be permitted only after an application for a short-term rental permit has been reviewed and approved by the Zoning Officer, based on the following criteria:
1. The use conforms to the short-term rental zoning regulations.
 2. The applicant must also be the property owner.
 3. Permit Application is filled out in its entirety with all associated required documentation including the following:
 - a. A current certificate of compliance for the property's septic system.
 - b. Property Manager contact info and secondary contact information.
 4. Short term rental licensing fees including fees for license renewal are paid in full.
 5. Site visit of the property proves all required short-term rental standards have been met as listed in this ordinance.
 6. Permit renewals are every three (3) years with no grace period for late renewals. Per fee set by Town Board.
 7. Applicant has not had a short-term rental permit revoked within one (1) year of application and has no current zoning violation on any property the applicant currently owns within Gnesen Township.
 8. No other short-term rental exists within 1500' on riparian property and 300' on non-riparian in shoreland and non-shoreland property, measured from the dwelling being applied for short term rental use to any other permitted short term rental dwelling.
 9. The owner of the property must be listed in the County Tax Records as having a homesteaded property located within Gnesen Township.
 10. The number of short-term rental permits issued in the Township at one time is limited to no more 20 on riparian properties and 20 on non-riparian properties.
- C. **Process.** Short term rental permits will be processed by the Zoning Officer. The Town Clerk will keep on file the official list of all short-term rentals and associated required documents. The Town Clerk will post in the monthly Township Newsletter all permitted short term rentals address and property management contact information. Permits are renewed on a 3-year basis from Feb 1st through Jan 31st, with no grace period for late renewals. Any existing short-term rentals existing prior to October 24, 2022, will be exempt from both the distance and cap requirements. If an existing short-term rental fails to apply for a permit prior to September 1, 2023, then that rental will be considered to not have existed prior to the adoption of this ordinance. The first day applications will be accepted will be Monday, June 5, 2023.
- D. **Termination of Short-Term Rental Permit.** A short-term rental permit will terminate and become void upon the occurrence of any of the following events:
1. The termination date stated in the permit is reached.
 2. A substantiated violation of any short-term rental standard as listed in this Ordinance.
 3. A change in the applicable zoning regulations which no longer allows the use.
 4. The original applicant listed on the permit or the use changes.

5. If a permit holder has had a lapse of rental for 8 months or longer. Evidence of rental history shall be provided to Zoning Officer upon request.

E. **Enforcement, Complaints and Substantiated Violations:** It is in the best interest of the surrounding residents that complaints are communicated by the resident having a grievance directly to the Short-Term Rental Property Owner and is addressed immediately. If the complaint is not addressed, then the Zoning Officer should be contacted in writing using the official Short Term Rental Complaint Form and the complaint will then be investigated by the Zoning Officer and filed with the Town Clerk. First time substantiated violations within the 3-year permit cycle will result in a written warning to the property owner and filed with the Town Clerk. Second time substantiated violations within the 3-year permit cycle may result in a second written warning to the property owner filed with the Town Clerk and a temporary suspension of the Permit whereas the Short Term Rental will not be allowed to operate for a period of 60 days starting two weeks after the written warning was issued, provided that such suspension will be stayed pending a hearing held on the proposed suspension if, within 5 business days after the written warning was issued, the property owner files with the Town Clerk a written request for a hearing before the Town Board regarding the suspension. In such case, the suspension shall not begin until the Town Board holds the hearing and affirms the suspension. In the event the Town Board does not affirm the suspension, no suspension shall be imposed. After the 1-year Permit suspension is up, a new permit will not be issued until all fines and enforcement penalties have been paid in full. Any person knowingly submitting a false complaint will be liable for all costs associated with investigation. Third time substantiated violations within the 3-year permit cycle may result in revocation of the Permit for a period of 1 year and include a fine of \$700 in addition to all costs associated with enforcement and revocation of the Permit, provided that such termination shall not occur until a hearing is held on the proposed termination if, within 5 business days after the written notice of such proposed termination is issued to the property owner, said owner files with the Town Clerk a written request for a hearing before the Town Board regarding the proposed termination. In such case, the termination shall not begin until the Town Board holds the hearing and affirms the termination. In the event the Town Board does not affirm the termination, no termination shall be imposed. If a permit is terminated, no other short-term rental shall be issued to such property owner for a period of 3 years from said termination. Any person knowingly submitting a false complaint will be liable for all costs associated with investigation.

F. **Short-Term Rental Requirements:**

1. These short-term rental requirements must be posted within the rental unit.
2. The owner or responsible agent must be able to respond in a reasonable amount of time given the seriousness of the complaint.
3. Quiet hours for Short Term Rentals are from 10 p.m. to 8 a.m. every day and must comply with MN Noise Statutes and Rules.
4. The maximum number of overnight guests is limited to two (2) persons per bedroom plus two (2). The maximum number of guests including overnight and daytime guests shall not exceed twice the approved overnight occupancy.
5. Parking shall only be on permittees private property.
6. Renters are not allowed to launch their own personal watercrafts other than at public/DNR launches. All DNR aquatic invasive species prevention guidelines must be followed.
7. Permittees are responsible to ensure adequate garbage service. Recycling is highly recommended.
8. Renter's pets, if allowed by permittee, shall be secured on the property at all times and continual nuisance barking is prohibited.
9. The permittee shall provide a visual demarcation of the property lines in order eliminate trespassing on neighbors' properties.
10. Rental of a recreational vehicle, trailer, tent, or similar structure for short-term Rental is not allowed on lots less than 4.5 acres.

11. No events such as bachelor parties, wedding receptions, class reunions, etc. are allowed by any renter other than the owner.
12. Fireworks are not allowed.
13. Any ads must list License/Permit number.

