

- (2) Assisting the resident with the daily living activities such as making appointments and arranging transportation that are necessary in order for the resident to receive the supportive services required in the board and care plan; and
- (3) Being aware of the resident's general whereabouts, although the resident may travel independently in the community; and
- (4) Monitoring the activities of the resident while on the premises of the residence to ensure his or her health, safety and well-being; and
- (5) Assisting with first aid and applying or changing dressings for minor injuries; or
- (6) Assisting with personal health assessment such as checking and recording vital signs (temperature, pulse, and respiration and blood pressure) and reporting to physician when indicated;

according to each resident's plan of care which follows established protocols written in consultation with a licensed health professional and approved by the health officer. Personal assistance encompasses the concepts of personal care, supervision, and protective oversight, and encourages the autonomy of the residents.

Resident. "Resident" means anyone living in a facility licensed under this chapter, but the term does not include staff or the owner or manager of any such licensed facility.

Rooming unit. "Rooming unit" means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

Roominghouse. "Roominghouse" means any residential structure or dwelling unit, supervised or not, which provides living and sleeping arrangements for more than four (4) unrelated individuals for periods of one (1) week or longer, any residential structure or dwelling unit which provides single room occupancy (SRO) housing as defined in federal regulations (CFR 882.102) to more than four (4) unrelated individuals, or any building housing more than four (4) unrelated individuals which has any one (1) of the following characteristics shall be considered and regulated as a roominghouse:

- (1) Rental arrangements are by the rooming unit rather than the dwelling unit.
- (2) Rooming unit doors are equipped with outer door locks or chains which require different keys to gain entrance.
- (3) Kitchen facilities are provided for joint or common use by the occupants of more than one (1) rooming unit.
- (4) Rooming units are equipped with telephones having exclusive phone numbers.
- (5) Rooming units are equipped with individual intercom security devices.
- (6) Each rooming unit has a separate assigned mailbox or mailbox compartment for receipt of U.S. mail.

Supervised. "Supervised" means that personal assistance and supportive services may be provided according to the criteria set forth in the rules and regulations promulgated under the provisions of this chapter.

Supportive services. "Supportive services" means services that are provided to the resident to enhance ability to live independently in the community, including:

- (1) Information and referral services;
- (2) Mental health services;
- (3) Habilitation services;
- (4) Rehabilitation services;
- (5) Social services;
- (6) Medical, dental, nutritional and other health care services;
- (7) Educational services;
- (8) Financial management services;
- (9) Legal services;
- (10) Vocational services;
- (11) Transportation;
- (12) Recreational and leisure activities; or
- (13) Other services required to meet a resident's needs.

(Ord. No. 17225, § 1, 3-21-85; Ord. No. 17396, § 1, 9-4-86; Ord. No. 17401, § 1, 9-9-86; Ord. No. 17921, § 1, 4-28-92; C.F. No. 07-149, § 77, 3-28-07)

Sec. 321.02. - License required.

- (a) No person shall operate any boardinghouse or roominghouse, whether supervised or not, as herein defined, in Saint Paul without a license. No license shall be required under this chapter for a college

dormitory, fraternity or sorority house operated by a college or university in accordance with regulations promulgated by the school.

- (b) No person shall operate any community residential facility of more than four (4) residents whether as a licensed correctional or health department licensed facility, as defined in Title VIII, Chapter 60 of the Legislative Code in Saint Paul, without a license.
- (c) No person shall operate any community residential facility of more than six (6) residents as a licensed human service facility, as defined in Title VIII, Chapter 60 of the Legislative Code in Saint Paul, without a license.
- (d) No person shall operate any emergency housing, overnight shelter, shelter for battered persons or transitional housing facility of more than four (4) residents, as defined in Title VIII, Chapter 60 of the Legislative Code in Saint Paul, without a license.

(Ord. No. 17225, § 1, 3-21-85; Ord. No. 17401, § 2, 9-9-86; Ord. No. 17921, § 2, 4-28-92; C.F. No. 92-1931, § 1, 1-14-93)

Sec. 321.03. - Fees.

- (a) *Annual fee.* The annual fee required shall be established by ordinance as specified in section 310.09(b) of the Legislative Code.
- (b) *Additional fee.* In addition to the annual license fee, the applicant shall pay a fee established by ordinance as specified in section 310.09(b) of the Legislative Code in any of the following circumstances:
 - (1) Upon initial application for a license at a location.
 - (2) Upon change of ownership of a facility.
 - (3) Whenever there is an increase in the resident census which would result in the establishment of a higher class annual fee.

The fee required under this paragraph is not subject to refund.

(Ord. No. 17225, § 1, 3-21-85; C.F. No. 99-502, § 2, 7-7-99)

Sec. 321.04. - Licensing requirements and procedures.

- (a) *Application.* In addition to the information required by section 310.02, the application shall state the exact location of the building or buildings and the part or parts of the building or buildings intended to be used in the conduct of the business under the license.
- (b) *Separate license for each location.* A separate license is required for each location.
- (c) *Insurance.* No license shall be issued or renewed under this chapter for any supervised facility, as defined herein, until the applicant has filed evidence of insurance conforming to the requirements of Chapters 7 and 8 of the Legislative Code and providing comprehensive general liability insurance in a minimum amount of three hundred thousand dollars (\$300,000.00) single limit coverage, per occurrence, for injuries or damages to persons or property.
- (d) *Inspection for environmental health.* A copy of all license applications shall be referred for an environmental health examination by the department of safety and inspections. After the report and recommendation of the department of safety and inspections have been received by the inspector, the inspector may grant or deny the application in accordance with the provisions of these chapters.
- (e) *Change in resident census; new ownership.* Whenever there is a change in the ownership of a facility licensed under this chapter or whenever there is an increase in the resident census which would result in the establishment of a higher fee, and in each such instance, the licensee shall promptly notify the health officer so that any necessary inspection and investigation may be made as though it were an original application.
- (f) *Exemption from provisions of food ordinance.* Where ten (10) or fewer boarders are served, the applicant may request, in writing, that the health officer grant a variance from the equipment standards provided for in Chapter 331.

(Ord. No. 17225, § 1, 3-21-85; Ord. No. 17921, § 3, 4-28-92; C.F. No. 92-1498, § 1, 10-22-92; C.F. No. 07-149, § 78, 3-28-07)

Sec. 321.05. - Regulations.

- (a) *Applicable laws, rules and regulations.* No persons shall be granted a license nor shall any person operate a business licensed under this chapter that is not in compliance with all applicable laws, rules and regulations, including this chapter and Chapter 33, Building Code; Chapter 34, Minimum Housing Standards; Chapter 35, Safety to Life Requirements; Chapter 55, Fire Code; Chapter 60, Zoning Code; and Chapter 331, Food. For good cause shown, the health officer may grant a variance from the equipment standards provided for in Chapter 331 when ten (10) or fewer residents are served.
- (b)

Posting of license. Each licensee shall keep the license granted hereunder prominently posted on the premises.

- (c) *Rules and regulations.* The department of safety and inspections may promulgate rules and regulations reasonably necessary to the safe and sanitary operation of business establishments licensed under this chapter. Copies of proposed rules and regulations, and amendments thereto, shall be made available free of charge to the public, and at least ten (10) days' written notice published in the official newspaper of the city shall be provided requesting written comments thereto. Subsequent to the published notice and after consideration of any comments, the health officer may adopt such rules and regulations, or amendments, and shall file a copy of the same with the office of the city clerk. Rules and regulations shall be effective on such date as indicated therein, but in no event shall they be effective prior to twenty (20) days after being filed in the office of the city clerk.

(Ord. No. 17225, § 1, 3-21-85; C.F. No. 07-149, § 79, 3-28-07)

Sec. 321.06. - Adverse action.

Adverse action by the city on any application or license may be taken for disorderly operation of or the permitting of any unlawful conduct or practice in any establishment subject to licensing under this chapter, as well as for reasons set forth in section 310.06.

(Ord. No. 17225, § 1, 3-21-85)

Sec. 321.07. - License not transferable.

No license issued under the provisions of this chapter shall be transferable. Every person holding a license under this chapter shall give notice in writing to the inspector thirty (30) days before selling, transferring or otherwise disposing of ownership, interest in or control of the licensed establishment. Such notice shall include the name and address of the person succeeding in ownership or control of the licensed establishment.

(Ord. No. 17225, § 1, 3-21-85)

Sec. 321.08. - Enforcement.

The department of safety and inspections shall enforce the provisions of this chapter.

(Ord. No. 17225, § 1, 3-21-85; C.F. No. 07-149, § 80, 3-28-07)

FOOTNOTE(S):

⁽¹²⁰⁾ *Editor's note*— Ordinance No. 17225, § 1, adopted March 21, 1985, amended Ch. 321, Boarding and Roominghouses: Dormitories. in its entirety to read as herein set out. with only minor, nonsubstantive modifications made for purposes of clarity. The substantive provisions of former Ch. 321 §§ 321.01—321.06, were derived from §§ 335A.02—335A.05 of the 1956 Code; and Ord. No. 16883, adopted Feb. 11, 1982. Subsequently, C.F. No. 99-502, § 1, adopted July 7, 1999, amended the title of this chapter as herein set out. ([Back](#))

⁽¹²⁰⁾ *Cross reference*— Minimum housing standards for multiple dwellings, Ch. 34; smoke detectors in certain buildings, Ch. 39; fire code provisions, Title VII; disorderly houses, Ch. 271; bed and breakfast residences, Ch. 378; hotels, Ch. 407. ([Back](#))