



Legislation Text

File #: Ord 22-15, **Version:** 1

Amending Section 13.02 of the Administrative Code establishing duties in the Department of Safety and Inspections related to rent stabilization.

SECTION 1

WHEREAS, a ballot initiative was placed on the ballot for the City General Election held November 2, 2021, creating a rent stabilization ordinance to be codified at Chapter 193A of the Legislative Code (“the ordinance”);
and

WHEREAS, after the City General Election, the Council of the City of Saint Paul determined that a majority of those voting on the ballot question voted in its favor; and

WHEREAS, given the City General Election results, and pursuant to Section 8.04 of the City Charter, the rent stabilization ordinance became law; and

WHEREAS, a stated public purpose of the ordinance is to protect the welfare of all persons who live, work, or own property in the City of Saint Paul by ensuring that Saint Paul residents have access to affordable housing; and

WHEREAS, another stated public purpose of the ordinance is to address a present shortage of residential rental units in the City of Saint Paul; and

WHEREAS, the ordinance aims to achieve these public policy goals by prohibiting landlords from demanding, charging, or accepting from a tenant a rent increase within a 12 month period that exceeds 3% of the tenant’s existing monthly rent; and

WHEREAS, the 3% limitation on rent increases is subject to a landlord’s ability to request an exception by demonstrating the exception is necessary to provide the landlord with a fair return on investment; and

WHEREAS, the ordinance directs the City to establish a process by which landlords can request the exception; and

WHEREAS, because of this duty to create a process, and various other administrative duties placed on the City by the ordinance, the Council finds it reasonable and necessary to amend the Administrative Code to authorize the hiring and staff, promulgation of rules, and administration of process; and

WHEREAS, the Council finds it appropriate to charge the Department of Safety and Inspections with authority to carry out administrative obligations, provided that the Department coordinate with the Office of Financial Empowerment, City Attorney’s Office, Department of Planning and Economic Development, City Council, and other relevant administration partners in order to carry out the obligations effectively; and

WHEREAS, the Council encourages the Department of Safety and Inspections to work with the Office of Financial Empowerment to lead a community education strategy for ensuring landlords and tenants understand the rent stabilization policy, receive published and timely information in translated languages where necessary, and receive and review community feedback about implementation's effectiveness for future adjustments as needed; and

WHEREAS, amending the Administrative Code to facilitate the ordinance serves as a tangible expression of the City of Saint Paul's commitment create more rental housing opportunities for its residents and improve access to affordable housing; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

SECTION 2

Chapter 13.02 of the Saint Paul Administrative Code is hereby amended as follows:

Sec. 13.02. General responsibilities enumerated.

- (a) *Environmental health.* The department of safety and inspections shall have duties related to environmental health. The duties shall include the enforcement of all health and sanitation programs as they relate to health and license inspection matters, including, but not limited to, inspections, investigations, and enforcement of the ordinances regarding swimming pools, water supplies, waste disposal systems, milk inspection programs and their coordination with other governmental entities; rooming/boardings, massage parlors, massage therapists, tattoo/body art, noise and general pollution (including the Clean Indoor Air Act and regulation of indoor smoking); and the inspection, investigation, and enforcement of laws regarding all food-handling facilities, including, but not limited to, restaurants, bars, hotels, lodging houses, food vehicles, bakeries, grocery stores, special food events, school and day care food, institutional food and food vending machines, and food education.
- (b) *Animal control.* The department of safety and inspections shall have duties related to animal control. The duties shall include the following:
- (1) Enforcement of animal control laws.
 - (2) Rabies control
 - (3) Maintenance of animal control facility for impounding and boarding of animals.
- (c) *Building inspection.* The department of safety and inspections shall have duties related to building inspection. These duties shall be managed by the building official who shall report directly to the director of the department of safety and inspections. The duties shall include the following:

- (1) The physical inspection of all new and remodeled buildings in the city. Such inspection shall be made to ensure compliance with the state building code, rules and regulations adopted by the city or made applicable thereto by federal and state law.
 - (2) Making inspection reports, maintaining departmental records and keeping and updating departmental statistical reports in accordance with state law.
 - (3) Reviewing all plans and specifications submitted with building permit applications, and verifying after review that all applicable building, zoning, housing, and fire prevention code requirements have been satisfied.
 - (4) Determining whether buildings in the city comply with the building codes and the zoning ordinances of the state and city, and, upon determination of any violation, taking the necessary and appropriate action to acquaint the owner of the dwelling with the violation, and proceeding with enforcement in accordance with applicable law.
 - (5) The issuance of construction permits and certificates of occupancy.
- (d) *Code enforcement.* The department of safety and inspections shall have a duties related to code enforcement. The duties shall include the following:
- (1) Inspect all owner occupied buildings and properties as required by city codes.
 - (2) Administer and enforce laws regulating the maintenance of residential property including, but not limited to, the city's vacant building program, the city's nuisance dwelling and nuisance abatement ordinances, the city's abandoned motor vehicle ordinance, the city's truth in sale of housing ordinance and program, and the city's graffiti removal program.
 - (3) Maintain appropriate departmental records, including but not limited to, garbage service billing records, excessive consumption of inspection services billing records, graffiti removal billing records, vacant building registrations, and truth in sale of housing disclosure reports.
 - (4) Investigate and enforce the city's boulevard planting ordinance and other right-of-way maintenance regulations.
 - (5) Enforce violations of the city's codes related to property maintenance, utilizing enforcement tools in accordance with applicable law.
- (e) *License and permit administration.* The department of safety and inspections shall have duties related to licenses and permits. The duties shall include the following:
- (1) Providing and maintaining a system of processing city business licenses and permits (except building permits) to achieve a coordinated process of administration.
 - (2) Acceptance of all applications for business licenses and permits, requisite processing through the various city departments and agencies, the final preparation of reports to be submitted to the city council, and the issuance of receipts for all city business licenses and permits.
 - (3) Establishment of uniform requirements and standards for all business licenses and permits and the maintenance of a complete records system.
 - (4) Maintenance of departmental records and the keeping and updating of departmental statistical reports and inspection

reports for all license and permit administration.

- (5) Providing a license inspection unit, which shall make such inspections as are required by law and report all license violations to the city council in coordination with all proper city departments. Any reference to the "license inspector" in the legislative code, administrative code, or city charter shall refer to the director of the department of safety and inspections and his/her designee.

- (f) *Fire inspection.* The department of safety and inspections shall have duties related to fire inspection, these duties shall be supervised by the fire marshal.

- (1) Duties of the fire marshal. The fire marshal shall report to the director of the department of safety and inspections regarding fire inspection duties. On all other matters, the fire marshal shall report to the fire chief in the department of fire and safety services.

- (2) Duties regarding fire inspection. Under the supervision of the fire marshal, inspectors shall be responsible for periodic inspection of all existing residential rental properties (except owner-occupied rental properties with two (2) or fewer dwellings) and commercial structures for compliance with all safety codes including collection of appropriate fees.

- (g) *Public information and complaint office.* The department of safety and inspections shall supervise the public information and complaint office. The department shall act as a liaison between complainants, the city council and city offices and departments responsible for responding to citizen complaints and requests. The director shall be responsible for the program supervision, development and operation of the computerized referral system, the establishment of procedures, training of personnel, making presentations to various groups, and the provision of information on city services and events. Consistent with these duties, the department shall develop and operate a city-wide computerized complaint system to do the following:

- (1) Act as an advocate for citizens in responding to requests and complaints that pertain to city services.

- (2) Work closely with all city departments to constantly improve the city's response to requests and complaints.

- (3) Report regularly to the mayor and city council on the performance of city departments in response to requests and complaints and the relative satisfaction of the citizens with the city's response.

- (4) Work closely with city-wide information services to operate a fully computerized complaint referral and follow-up system.

- (5) Provide public information on city services, events, and who to contact for response to requests and complaints.

- (h) *Zoning.* The department of safety and inspections shall have duties related to zoning. The duties shall include the following:

- (1) Determine whether buildings and property comply with the zoning ordinances. This includes but is not limited to a review of applications for construction permits, licenses and changes in certificates of occupancy.

- (2) Provide staff recommendations to the board of zoning appeals. This includes preparing a staff report for matters that come before the

board, making a recommendation to the board regarding those matters; presenting a written and oral report to the board at the public hearing; and processing the board's decision and presenting any appeals to the city council.

- (3) Staff the site plan review process as delegated by the planning commission. This includes the review and approval of all site plans required by code, coordination of site plan review meetings for inclusion of comments from other staff. When a public hearing before the planning commission is required, prepare staff reports, process the planning commission's decision and handle any appeals to the city council.
- (4) Enforce zoning regulations, respond to complaints and investigate compliance with conditions of approvals attached to zoning permits and variances.
- (5) Review and issue sign permits.
- (6) Heritage preservation. The department of safety and inspections shall have duties related to heritage preservation. The duties shall include the following:
 - a. Safeguard the heritage of the city by identifying and preserving areas, places, buildings, structures and other objects having historical, architectural, archeological or engineering significance.
 - b. Provide staff support to the heritage preservation commission which advises the city on heritage preservation matters, identifies historic resources, recommends sites for designation, conducts plan and design review of heritage preservation sites and districts, reviews street name changes, and provides education.
 - c. Promote the recognition, protection, reuse and preservation of historic resources by developing and administering a preservation plan for the city in cooperation with the planning commission and the department of planning and economic development.

(i) Rent Stabilization. The department of safety and inspections shall have duties related to rent stabilization, as codified at legislative code chapter 193A. These duties are in addition to departmental duties outlined elsewhere in administrative code chapter 13, and must include the following:

- (1) Promulgate rules that:
 - a. Prescribe a uniform process for landlords to request exceptions to the limitation on rent increases.
 - b. Define what constitutes a "reasonable return on investment" under Legislative Code Chapter 193A.05.
 - c. Define a uniform process for appeals related to a landlord's request for exceptions to the limitation on rent increases.
- (2) Investigate complaints and process landlord requests submitted pursuant to Legislative Code Chapter 193A.
- (3) Define a uniform process for intake, investigation and resolution of complaints related to violations of Legislative Code Chapter 193A.
- (4) Appear at appeal hearings, provide staff reports and recommendations when necessary.

(5) Hire staff necessary to implement and enforce Legislative Code Chapter 193A.

Sec. 13.03. Reference to former departments.

Any documents including but not limited to city licenses and building permits containing the names of former departments eliminated when the department of safety and inspections was created shall be read to refer to the department of safety and inspections. These departments include:

- (1) The office of license, inspections and environmental protection, or LIEP.
- (2) The department of neighborhood housing and property improvement.
- (3) The fire inspection division of the department of fire and safety services.

SECTION 3

This Ordinance shall take effect and be in force thirty (30) days following passage, approval, and publication.