



Accessory Home Share Permit Regulations

Definition: Accessory home share - A habitable room or space in an owner-occupied dwelling offered for trade or sale, whether for money or exchange of goods or services, for periods of 29 days or less.

NOTE: Accessory Home Share Permits are for property owners who will be generally present during the time of their guests' stay. If you will not be present during your guests' stay you must be approved for a Vacation Dwelling Unit Interim Use Permit.

Application Requirements:

Bring the documents listed below to the One Stop Shop, City Hall Room 210.

Questions can be directed to a Land Use Technician at 218-730-5240.

The applicant for an Accessory Home Share Permit must provide evidence of possession of the following permits and licenses before an Accessory Home Share Permit may be issued:

- Obtain a **Hotel/Motel License** from the City Clerk's office by calling 218-730-5500 or visiting <http://duluthmn.gov/licenses-permits/hotelmotelbbmotor-court-license/>.
- Obtain a **Lodging License** from the State Department of Health by calling Sara Schaffer, 218-302-6184, or visiting <http://www.health.state.mn.us/divs/eh/food/license/index.html>.
- Obtain a **Fire Operational Permit** from the City's Fire Prevention by calling 218-730-4397 or 218-730-4399.
- Obtain a permit for **City of Duluth Tourism Tax** by contacting Ruthann Grace in the City Treasurers office at 218-730-5047 or rgrace@duluthmn.gov or visiting www.duluthmn.gov/finance/tourism-taxes/.
- Obtain State **Tax Identification Numbers** by calling 651-282-5225 or visiting <http://www.revenue.state.mn.us/businesses/Pages/Business-Registration.aspx>.

The applicant must also provide the following documents:

- Signed affidavit for verification of owner occupancy during guest rental.
- A floor plan of the dwelling unit identifying which room(s) will be rented.
- A site plan indicating location of parking spaces.
- A completed Application Cover Sheet with required fee.

Application materials will be reviewed for completion and compliance with the Accessory Home Share Permit Standards listed below.

Accessory Home Share Permit Standards:

An accessory home share may be created within those districts shown where allowed by Table 50.19.8 provided these standards are met:

1. The rental or purchase period shall be for 29 days or less.
2. The maximum number of overnight guests allowed is 4 persons in addition to the owner occupants.
3. The Permit shall expire upon change in ownership of the property or one year from issuance date, whichever occurs first.
4. At least one permanent resident must be generally present on or about the premises at all times that the property is rented.
5. A permit holder may not advertise an accessory home share for an accessory structure that is a storage shed or garage.
6. A permit holder may not advertise an accessory home share in any area exterior to the dwelling unit without a principle dwelling.
7. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.
8. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The maximum number of guests allowed at the property;
 - b. The maximum number of vehicles allowed at the property and where they are to be parked;
 - c. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - d. Applicable sections of City ordinances governing noise, parks, parking and pets (see document titled "Selected City Ordinances on Parking, Parks, Pets & Noise")
9. Permit holder must post their Permit number on all print, poster or web advertisements;
10. Violations of the home share permit requirements are subject to Section 50-39 Enforcement and Penalties of the UDC.

Minnesota State Building Code Requirements

The following summarizes applicable Minnesota State Building Code regulations for vacation rental units as defined in the Duluth Unified Development Chapter. Contact a Plans Examiner in the Construction Services Division at 218/730-5300 with questions about building code requirements.

One and Two Family Dwellings: Use of existing one and two family dwellings not more than three stories above grade plane in height with separate means of egress as an accessory home share is not a change of use for purposes of building code applicability.

Additions, alterations and repairs to one and two family dwellings not more than three stories above grade plane in height with separate means of egress must comply with the Minnesota State Residential Code.

The Minnesota Accessibility Code does not apply to one or two family dwellings. Owners of vacation rental properties should research federal regulations related to accessibility.

Three and More Dwelling Units: Conversion of apartments in buildings with three or more units to rentals of less than 30 days duration is a change of use from an R-2 occupancy (permanent) to an R-1 occupancy (transient.) A permit is required for a change of use and plans and a code summary prepared by a Minnesota licensed architect showing compliance with applicable provisions of the Minnesota State Building Code must be submitted for review with the permit application.

Required alterations will vary with each building. Owners should consult with a licensed architect for an evaluation of changes needed to comply with applicable building code provisions.



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration. Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;

(c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;

(d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



AFFIDAVIT

Date: _____

Purpose: Verification of Owner Occupancy during guest rental

Address: _____ Parcel ID#: _____

(PRINT FULL NAME) _____ personally came and appeared before me, the undersigned Notary, the within named (PRINT FULL NAME) _____ who is the owner and occupant of the above address makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

- I am currently the whole or partial owner of the above listed address and I reside at the address and will abide by the requirements for owner occupancy during the rental of the property as an accessory home share listed in UDC Sec. 50-20.5.G.

Dated this _____ day of _____, 20__

Signature of Affidavit Petitioner: _____

Sworn to subscribed before me, this _____ day of _____, 20__

Signature of Notary Public: _____



**City of Duluth
Planning and Construction Services**

411 West First Street • Room 210 • Duluth, Minnesota • 55802-1194
218-730-5240 • Fax: 218-730-5901 • www.duluthmn.gov/onestop/

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Check One Box

- Accessory Home Share-**\$25**
- Appeal to Planning Commission - **\$350**
- Concurrent Use of Streets Permit - **\$700**
- District Plan Adoption or Amendment- **\$1,000**
- Environmental Review (EAW or EIS)- **\$2,500**
- Historic
 - Construction/Demolition - **\$50**
 - Resource Designation - **\$75**
- Interim Use Permit **\$650**
- Planning Review - **\$800**
- Sidewalk Use Permit
 - New Permit- **\$150**
 - Renewal Permit - **\$75**
- Special Use Permit, General - **\$800**
- Special Use Permit, Wireless Telecommunications*
 - Modifying or Co-locating – **\$2,500***
 - New Facility or Tower – **\$5,000***
 - Escrow Deposit - **\$8,500***
- Subdivision Plat Approval or Amendment:
 - Concept Plan - **\$250**
 - Preliminary Plat - **\$1000**
 - Final Plat - **\$750**
 - Minor Subdivision/RLS- **\$400**
 - Plat Amendment or Boundary Line Adjustment - **\$250**
- Temporary Use Permit - **\$150**
- UDC Zoning Map (Rezoning) Amendment - **\$800**
- Vacation of Street or Utility Easement - **\$700**
- Variance - **\$600**
- Wetland,
 - De Minimus, Delineation, or No Loss- **\$150**
 - Replacement Plan - **\$400**
- Zoning Verification Letter-**\$85**

APPLICATION COVER SHEET

CONTACT INFORMATION:

Applicant/Owner _____

Phone _____ Email _____

Address _____

City _____ State _____ Zip _____

Owner's Agent (if applicable) _____

Phone _____ Email _____

Address _____

City _____ State _____ Zip _____

APPLICATION INFORMATION:

Street Address and Zoning of Property _____

Parcel ID Number _____

Describe the Reasons for this Request (Attach Additional Pages if Necessary):

The undersigned hereby represents upon all of the penalties of law for the purpose of inducing the City of Duluth to take the action herein requested, that all statements herein and attached are true and that all work herein mentioned will be done in accordance with the Ordinances of the City of Duluth and the laws of the State of Minnesota. Undersigned also understands that all documents provided to the City may be considered public data, per Minnesota Government Data Practices Act.

Signature of Applicant Date

Reminder: include application checklist and all supporting information, including pre-application verification (if applicable). Submit completed information to Room 210, One Stop Shop.

*Special Use Permit Checklist required to be submitted with this application coversheet and fee.