



COMMUNITY DEVELOPMENT DEPARTMENT

TO: Landlord Connections Attendee's
FROM: David Hovel, City Building Inspector
DATE: March 2, 2016
RE: Rental Occupancy Limit Questions

During the February 18, 2016 Landlord Connections Meeting questions arose regarding rental occupancy limits, specifically the following questions were raised:

- A. How is the rental occupancy limit affected by the related/unrelated ordinance?
- B. Does the City of River Falls have a guest ordinance?

The following pages provide more details and information to address these questions.

Clarification:

- A. The occupancy limit on the rental registration permit is solely determined by square feet in the unit. The following is required by current Municipal Ordinance:

Persons	Required SQFT per Bedroom	Required SQFT Total Living Space (includes bedroom)
1	80	150
2	40	100
3	40 for each additional	75 for each additional

In 2005 the City Council passed an ordinance modifying Section 17.04.020 of the Municipal Code, changing the definition of "Family", which affected the occupancy limits. Below is the current section of the ordinance:

"Family."

1.

In the (R1) single-family (low density) residence district, "family" means an individual or two or more persons related by blood or marriage, adoption or legal guardianship, or evidence of a stable family relationship or a group of not more than four persons unrelated by blood or marriage, living together for single housekeeping in a dwelling unit. The right to maintain up to and including five unrelated persons in a preexisting rental dwelling unit in a single-family zoning district shall continue until such time as total structural repairs and alterations during its life exceeds fifty (50) percent of the assessed value of the rental

dwelling unit or until such time as the dwelling unit is destroyed by fire or casualty or for a period of fifteen (15) years from the effective date of the ordinance codified in this section, whichever shall occur first. This right shall also terminate immediately should the tax parcel be found to have more than five unrelated individuals living within any rental dwelling unit with the knowledge of the landlord or the property manager.

2.

In the (R2) multiple-family (medium density) residence district and (R3) high density residence district, "family" means an individual or two or more persons related by blood or marriage, or evidence of a stable family relationship, or a group of not more than five persons unrelated by blood or marriage living together for single housekeeping in a dwelling unit.

If you have a new rental unit in an R-1 zoning district and the square footage allows for 5 persons, you would be allowed to rent to a "family" of five (5) or a maximum of four (4) unrelated persons. When one person that is unrelated moves into a unit, everyone in the unit is counted toward the occupancy limit, including the owner and family members.

B. 15.16.020 of the City's Housing Code includes the following definition of a "Guest":

"Guest" means a temporary invitee residing in a dwelling unit for a period up to, but not exceeding, fourteen (14) days within any three month period. The tenant(s) shall be liable for any property damage, waste, or neglect caused by the negligence or improper use of the premises.

Hopefully this information helps with the questions that were raised. There are many scenarios' that could play out with these ordinances. If you have further specific questions, please contact David Hovel, City Building Inspector directly at 715-426-3426.