

**CHAPTER 17.08
SPECIAL/HAZARD AREA REGULATIONS**

**ARTICLE X
SHORT-TERM RENTALS**

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17.08.1010: PURPOSE:

A. The purpose of this Article is to establish regulations for the use of Residential Dwellings as Short-Term Rentals, establish a system to track the Short-Term Rental inventory in the City, ensure compliance with local performance standards, provide a means of contact for the Responsible Party of a Short-Term Rental, establish a Good Neighbor Policy for Occupants of Short-Term Rentals and their guests, and allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

B. Nothing in this Article shall be construed so as to nullify or override any applicable covenants, conditions, and restrictions applicable to the property that may prohibit or restrict its use for Short-Term Rental purposes.

17.08.1020: DEFINITIONS:

A. “Good Neighbor Policy” shall mean the list of general rules of conduct, best practices, and standards of respect prepared by the Planning Department and required to be provided to Occupants and their guests utilizing Short-Term Rentals within the City.

B. “Occupant” shall mean the person or persons who contract with the Responsible Party for use of the Short-Term Rental.

C. “Residential Dwelling” shall mean a single unit providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Tents, recreational vehicles, campers, and similar units not designed for permanent residential use are excluded from this definition.

D. “Responsible Party” shall mean the owner of a Residential Dwelling being used as a Short-Term Rental, as well as any person designated by the owner who is responsible for compliance with this Article by an Occupant and any guests utilizing the Short-Term Rental. The Responsible Party shall provide for the maintenance of the property and ensure compliance by the Occupant and any guests with the provisions of this Article, or any other applicable law, rule, or regulation pertaining to the use and occupancy of a Short-Term Rental. The owner of the property shall not be relieved of responsibility or liability for noncompliance with the provisions

of this Article, or any other applicable law, rule, or regulation pertaining to the use and occupancy of a Short-Term Rental because of the designation of another Responsible Party. All Responsible Parties shall be at least twenty-one (21) years old.

E. “Self-Inspection Checklist” shall mean the current form approved by the City for use with a Short-Term Rental application.

F. “Short-Term Rental” shall mean a Residential Dwelling which is rented for a minimum of two (2) nights and a maximum of thirty (30) days, and which is sometimes referred to as a “vacation rental.” This term does not include a Bed-and-Breakfast facility, an RV Park or campground, or a hotel or motel.

17.08.1030: PERMIT REQUIRED:

A. An applicant for a Short-Term Rental permit must be the owner of the Residential Dwelling to be offered for rent. No person with less than a fee ownership interest may apply for a Short-Term Rental permit.

B. Prior to offering a Short-Term Rental to the public, the owner of the Residential Dwelling shall complete an application on a form provided by the City and file it with the City Clerk or his/her designee. The application shall include:

1. The owner’s legal name, date of birth, telephone number, and both physical and mailing addresses;
2. If the Short-Term Rental is to be operated or managed by someone other than the owner, the name, date of birth, telephone number, and both physical and mailing addresses for a Responsible Party with day-to-day authority and/or control over the Short-Term Rental, together with a copy of a valid government-issued identification of any Responsible Party;
3. The address and telephone number of the Short-Term Rental; and
4. The signatures of the owner and other Responsible Party, if any, agreeing and acknowledging that they are jointly responsible for the compliance by the Occupant and any guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the Short-Term Rental, and for any unreasonable noise, disturbances or disorderly conduct by the Occupant and/or guests while utilizing while on the property of the Short-Term Rental.
5. If any information required by subsection 1 through 4 hereof changes, the Responsible Party shall promptly advise the City.

C. At the time an application is filed with the City, a Responsible Party shall complete and file with the City the Self-Inspection Check list. A new Self-Inspection Checklist shall be completed and filed with the City each year thereafter during which the Short-Term Rental will be offered to the public.

D. Short-Term Rentals are not a grandfathered use. All Short-Term Rentals in the City must have a permit to operate.

E. Subject to § 17.08.1010(B), any Residential Dwelling in the City may be rented without a permit for no more than fourteen (14) days per calendar year, where those fourteen (14) days are divided into no more than two (2) stays.

17.08.1040: STANDARDS:

A. Accessory Dwelling Units.

1. Accessory Dwelling Units (ADU), as defined by § 17.02.030(E) of this Code, and the associated principal dwelling may not be used as Short-Term Rentals.

B. Duties of Responsible Party.

1. A Responsible Party must be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within sixty (60) minutes to complaints regarding the condition of the Short-Term Rental or the conduct of the Occupant of the Short-Term Rental and/or their guests.

2. A Responsible Party shall obtain the name, address, and telephone number of each Occupant of a Short-Term Rental, and shall maintain this information, together with the dates of use of the Short-Term Rental by said Occupant, for a period of four (4) years following the completion of the rental.

3. A Responsible Party shall provide the information required in section 17.08.1040(B)(2) to the City at the City's request.

4. A Responsible Party, upon notification that any Occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of a Short-Term Rental, shall promptly respond in an appropriate manner within sixty (60) minutes and require an immediate halt to the conduct, and take such steps as may be necessary to prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls or complaints regarding the condition, operation, or conduct of an Occupant or guest in a Short-Term Rental in an appropriate manner within sixty (60) minutes shall constitute a violation of this Article.

C. Information Provided to Occupants.

1. A Responsible Party shall provide each Occupant of a Short-Term Rental, or post in a prominent location within the unit, the following prior to or at the time of the occupancy of the unit:

- a. a current copy of the Short-Term Rental permit;

- b. the name and phone number of all Responsible Parties;
- c. a copy of the Good Neighbor Policy as approved by the City Planning Department;
- d. a notice of the trash pick-up day, and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the dwelling; and
- e. parking locations and requirements.

D. Occupancy.

- 1. The maximum number of overnight guests occupying a Short-Term Rental shall not exceed the definition of “family” as provided in § 17.02.055(B).
- 2. Guests of an Occupant may use a Short Term Rental only between the hours of 7:00 a.m. and 10 p.m., and only when an Occupant is present.
- 3. A Responsible Party may rent either the entire Residential Dwelling or one (1) room of the Residential Dwelling to an Occupant. Under no circumstances shall a Responsible Party rent individual rooms in a Short-Term Rental to different Occupants for the same night or nights.

E. Outdoor storage.

- 1. Storage of equipment, inventory, or work-related items other than vehicles, shall be within the residence or a permitted accessory building. Outdoor storage and storage containers are prohibited. For purposes of this Chapter, the term “storage container” refers to industrial and commercial shipping containers and buildings, including PODS and like containers, which are designed to be portable and/or temporary and which do not meet the design criteria for accessory buildings. The term does not include sheds or small storage buildings intended for incidental residential use and which are compatible with residential use.

F. Parking.

- 1. All Occupants and guests shall, to the greatest extent possible, utilize any off-street parking of the Residential Dwelling which constitutes the Short-Term Rental. On-street parking by Occupants and guests shall be governed by the applicable provisions of Chapters 10.20, 10.22, 10.24, and 10.27 of this Code.

2. GRASSCRETE DISCUSSION?

G. Signs and Advertising.

1. Signs shall comply with the requirements applicable within the underlying zone as set forth in Chapter 15.24 of this Code.
2. The address number of a Short-Term Rental shall be posted in accordance with Fire Department IFC requirements.
3. All advertising for the Short-Term Rental shall include the City permit number and the maximum number of vehicles accommodated by off-street parking spaces.

H. Trash.

1. Trash and refuse shall not be left stored within public view except in proper containers for the purpose of collection by the authorized waste hauler on scheduled trash collection days.
2. The Short-Term Rental property shall, at all times, be kept in a neat and sanitary condition, in compliance with the requirements of Title 8 of this Code.

I. Zoning.

1. Subject to the standards in each zone, as well as the standards in this Article, the use of a Residential Dwelling as a Short-Term Rental is permitted as of right in all residential and commercial zones, in MH-8 provided the Residential Dwelling is installed as required by State law, and DC.

17.08.1050: VIOLATIONS; PENALTIES:

A. Violations.

1. It is unlawful for any Responsible Party to offer for Rent a Short-Term Rental or to operate a Short-Term Rental without a City permit.
2. It is a violation this Article if a Responsible Party, or an Occupant or guest knowingly and willfully violates any provision of this Article.

B. Penalty.

1. For a first offense, the violator shall be subject to a civil penalty in an amount established by Resolution of the City Council.
2. For any subsequent offense, the violator shall be subject to a misdemeanor, pursuant to section 1.28.010 of this Code.

3. In addition to any other remedy or procedure authorized by law, for repeated violations of or failure to comply with any of the standards of this Article, the City Clerk or his/her designee may revoke a permit and, in addition, may order that no new permit shall be issued for up to three (3) years pursuant to the following procedures.

a. Prior to the revocation of any permit or the denial of a permit for repeated violation of the provisions of this Article, written notice of the reasons for such action shall be served on the Owner and/or Responsible Party in person or by certified mail at the address on the permit application. Revocation shall become final within ten (10) days of service unless the Owner and/or Responsible Party appeals the action. The Owner and/or Responsible Party shall provide the appeal in writing to the City Clerk or his/her designee within ten (10) days of receipt of the notice. The written notice of appeal must state the reasons for the appeal and the relief requested.

b. Should the owner and/or Responsible Party request an appeal within the ten (10) day period, the City Clerk or his/her designee shall notify the owner and/or Responsible Party in writing of the time and place of the hearing.

c. Appeals shall be heard by a neutral hearing officer designated by the City

d. For good cause shown, the hearing officer may affirm or reverse the decision to revoke a permit. The hearing officer may affirm, reverse, or modify a decision to deny a new permit for upon a showing of good cause.