

Motion Sheet

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I move to amend to the ordinance to allow tenants to obtain a short-term rental license.

Amend Part 2

Line 32:

(10) OPERATOR means a person who ~~owns and~~ operates a short-term rental.

Lines 106-143:

**§ 4-23-31 ELIGIBILITY TO OPERATE A SHORT-TERM RENTAL.**

- (A) An operator must own or lease the housing unit that will be operated as a short-term rental.
- (B) On a site with three or fewer housing units, an individual can operate a short-term rental.
- (C) Except as provided in Subsection (D), an individual may operate more than one short-term rental if the short-term rentals are located at least 1,000 feet apart.
- (D) On a site with four or more housing units, the greater of one unit or 25 percent of the housing units the person owns or leases can be operated as short-term rentals.
- (E) In this section, an operator qualifies as an individual when the housing unit is owned or leased:
  - (1) only by one or more individuals;
  - (2) by a trust and each trustee and beneficiary are individuals; or
  - (3) by a limited liability company and each member is an individual.
- (F) The 1,000-foot requirement in Subsection (C) applies to an individual who participates in a trust or limited liability company described in Subsection (E) without regard to the name of the trust or the limited liability company.
- (G) A person is not eligible to obtain a new operator's license for any short-term rental for 12 months if the person was the operator of a short-term rental that was declared a nuisance by a director or a court of competent jurisdiction. The 12-month period begins the later of the date their license was revoked or their appeal of the revocation was denied.

- (H) Except as provided in Subsection (I), a short-term rental that was the subject of an operator's license that was revoked cannot be the subject of a new operator's license for:
- (1) six months from the later of the date the license was revoked or the appeal of the revocation was denied; or
  - (2) 12 months from the later of the date the license was revoked or the appeal of the revocation was denied if the operator's license was revoked because the short-term rental was declared a nuisance either by the director or a court of competent jurisdiction.
- (I) A person may apply for an operator's license for a short-term rental that was the subject of a revoked operator's license before the time periods described in Subsection (H) expire if the director determines that the applicant is not associated with the prior property owner or lessee.
- (1) An applicant may submit a request for a determination under this subsection using a form approved by the director and by providing information the director requires to make a decision on the request.
  - (2) The director's decision is not appealable.

Lines 212-213:

**§ 4-23-41 REQUIREMENTS TO OBTAIN AN OPERATOR'S LICENSE.**

- (A) To obtain a new operator license, a person ~~who owns the housing unit to be licensed as a short-term rental~~ must apply on a form approved by the director and pay any fees required by this chapter.
- (B) At a minimum, an applicant must provide the following information:
- (1) a certification by the applicant and the applicant's agent that the housing unit is not subject to outstanding City Code or state law violations;
  - (2) the applicant's name, street address, mailing address, electronic mail address, and telephone number;
  - (3) the local contact's name, street address, mailing address, electronic mail address, and telephone number;
  - (4) the proposed short-term rental's street address;
  - (5) a self-certified safety checklist;
  - (6) the name of each platform that will be used to advertise or promote the short-term rental; and

- (7) any other information requested by the director.
- (C) Except as provided in Section 4-23-43 (*Application Denials*), the director is required to issue a short-term rental license:
- (1) after the director determines the applicant is eligible to operate a short-term rental;
  - (2) the applicant complies with this section; and
  - (3) the applicant pays the application and notification fees that are set by separate ordinance.
- (D) Before issuing an operator's license, the director may require the applicant to obtain a third-party inspection that demonstrates the housing unit does not pose a hazard to life, health, or public safety when the short-term rental is the subject of one or more state law or City Code violations within the prior 24 months.
- (E) When the director issues an operator's license, the director must provide a packet of information with each license summarizing the requirements applicable to short-term rentals, including:
- (1) the name and contact information of the local contact designated in the application;
  - (2) restrictions on noise applicable under Section 4-23-34 (*Operational Requirements*), including limitations on the use of amplified sound;
  - (3) parking restrictions;
  - (4) trash collection schedule;
  - (5) information on relevant burn bans;
  - (6) information on relevant water restrictions;
  - (7) information on applicable requirements of the Americans with Disabilities Act; and
  - (8) other information applicable to short-term rentals.