

September 11, 2025

Alter Motion 3

I move to amend to the ordinance to allow up to two of the three housing units on a site to be operated by individuals and requiring 1,000 feet spacing between sites.

Beginning at line 106:

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

- (A) An operator must own 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 up to two a short-term rentals.
- (C) Except as provided in Subsection (D), an individual may operate short-term rentals on more than one site more than one short-term rental if the sites 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 can be operated as short-term rentals.
- (E) In this section, an operator qualifies as an individual when the housing unit is owned:
 - (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 The 12-month period begins the later of the date their license was revoked or their appeal of the revocation was denied.

(H) Except as provided in Subsection (I), a short-term rental that was the subject of an operator's license that was revoked cannot be the subject of a new operator's license for:

- (1) six months from the later of the date the license was revoked or the appeal of the revocation was denied; or
- (2) 12 months from the later of the date the license was revoked or the appeal of the revocation was denied if the operator's license was revoked because the short-term rental was declared a nuisance either by the director or a court of competent jurisdiction.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.

- (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.