

Motion Sheet

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 The 12-month period begins the later of the date their license was revoked or their appeal of the revocation was denied.

(H) Except as provided in Subsection (I), a short-term rental that was the subject of an operator's license that was revoked cannot be the subject of a new operator's license for:

(1) six months from the later of the date the license was revoked or the appeal of the revocation was denied; or

(2) 12 months from the later of the date the license was revoked or the appeal of the revocation was denied if the operator's license was revoked because the short-term rental was declared a nuisance either by the director or a court of competent jurisdiction.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) proof that a lessee applicant is responsible for payment of utilities; and
- (8) 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.