CHAPTER 2: SPECIALTY BUSINESS REQUIREMENTS

3-2-13: SHORT TERM RENTALS

A. License Requirements:

1. **License Required:** It is unlawful for any person to keep, conduct, operate or maintain a "short term residential rental property" as defined in section 9-12E-1 through 9-12E-9 and 9-14-25 of this code within the City without a business license for such dwelling unit. A person who owns multiple short term residential rental properties is required to obtain a separate license for the operation and maintenance of each of those short term residential rental properties.
2. **License Not Transferable:** A short term residential rental property business license is not transferable between persons or structures. Any person holding such a license shall give written notice within thirty (30) days to the business license official after having transferred or otherwise disposed of legal or equitable control of any rental dwelling unit licensed under this article. Such notice of transferred interest shall be deemed a request to cancel an existing business license for such rental dwelling unit and shall include the name, address, and information regarding the person(s) succeeding to the ownership or control thereof.
3. **Transient Room Tax:** All short term residential rental properties shall be subject to the collection of the municipality transient room tax as allowed under Utah Code 59-28-101 et seq as amended. Proof of remittance will be required annually upon license renewal.
4. **Garbage Removal:** Garbage shall be removed from the property by the owner or property Manager and properly disposed of within twenty-four (24) hours of tenants leaving the property.
5. **Cleaning Service:** Each property shall be cleaned at least weekly while occupied and in between tenant occupancy. Each property shall also comply with the sanitary facilities requirements outlined for motels in this code.
6. **Local Property Manager / Point of Contact Required:** All short term residential rental properties ~~shall~~ must designate a local property manager or point of contact that resides within Washington County. The Property Manager or Point of Contact must obtain a Washington City Property Management Business License. The property manager or point of contact shall be available twenty-four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each short term residential rental property shall have a clearly visible sign within the unit containing the following information:
    a. Name and phone number of the local property manager / contact.
    b. Maximum occupancy of the unit.
    c. Garbage pick up.

7. **Owner And Property Manager Responsible:** The owner and property manager shall be jointly and severally liable for any violations of this article. Any rental dwelling unit which is found in violation of this article or any other requirement of this code may be subject to penalty of law and/or revocation of the short term residential rental properties business license.

B. Penalty; suspension or revocation of license.

1. Enforcement provisions.

a. Any owner of any dwelling within the City who allows or permits occupation of said dwelling as a short-term rental without having first obtained a business license in accordance with the provisions of this section shall be in violation of this section and shall be guilty of a Civil Infraction as set forth in section 1-4-1(2) of City Code. A violator of this paragraph shall be punished by a fine not less than $750.00 per day of each such violation.

b. Any owner of any dwelling within the City, who, having first obtained a business license for use or occupation of said dwelling as a short-term rental, thereafter operates or permits the operation of said short-term rental in violation of the terms and provisions of this section shall be guilty of a Civil Infraction as set forth in section 1-4-1(2) of this Code. A violator of this paragraph shall be punished by a fine not less than $750.00 per day of each such violation.

c. Any person who occupies a short-term rental as a guest and who violates any local ordinance or state law shall be subject to arrest, issuance of a citation, or other civil or criminal process in accordance with all state, federal or local statutes, rules, or City Code and City ordinances.

d. Due to the nightly/daily nature of short-term rentals, any violation of any provision of this section regulating short-term rentals shall constitute a separate and distinct offense for each and every day that such a violation occurs or continues.

e. In the event of three or more violations of this section committed by an owner or guest, or any combination of the two, within any 12-month period, the City Business License Official is authorized to revoke the short-term business license by issuing a written notice of revocation to the owner. The revocation of a short-term business license by the City Business License Official is an administrative decision that may be appealed as set forth in section 3-1-12(B)(3).

f. In the event of a license being revoked for violations of this chapter, the owner of the property in question shall not be issued a new short-term rental business license for a period of one year, provided that a new license is otherwise permitted.
g. In addition to the denial, suspension, revocation, or refusal to renew a license as outlined in this chapter, any licensee who shall operate a Short Term Rental in violation of this chapter, and/or any person designated by the licensee as the manager or person in charge of daily operation of said facility who shall permit or allow said facility to operate in violation of this chapter, shall be guilty of a Civil Infraction as set forth in section 1-4-1(2) of this Code. A violator of this paragraph shall be punished by a fine not less than $750.00 per day of each such violation.