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# Short Term Rentals Administrative Rules



*City of Grover Beach  
Community Development Department  
December 2022 Update*



**City of Grover Beach | Short-Term Rental Administrative Rules**



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## 1. Glossary

This glossary provides definitions for terms used in the City of Grover Beach Short-Term Rental Administrative Rules and Regulations.

<b>Accessory Dwelling Unit</b>	A legally permitted residential unit, either separated or detached, located on the same residential parcel/lot as the primary residential unit.
<b>Administrative Rules</b>	The City Manager, or designee, shall have the authority to establish administrative rules and regulations consistent with the provisions of this Section for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this Section, and establishing procedures for complaints. A copy of such administrative rules and regulations shall be on file in the office of the city clerk and posted on the city's website.
<b>Advertise</b>	The publication of any statements, phrases, words, photographs, drawings or other images for the purpose of informing any member of the public of the ability or availability to use a specific dwelling unit for short-term rental purposes including but not be limited to verbal, written, printed, electronic, televised or broadcast set forth or contained in any newspaper, magazine, newsletter, website, solicitation, handbill, business card, flyer, outdoor advertising display, billboard, cable, satellite or digital radio or television broadcast, social networking site or any other electronic and digital media.
<b>Application</b>	A public document completed and filed to the City of Grover Beach that requests permission to operate a short-term rental business for a property located within the City of Grover Beach.
<b>Bedroom</b>	Any habitable room normally occupied with no less than 70 square feet of floor area and no horizontal dimension less than seven feet with at least one wall located along an exterior wall with a window and equipped with a heating source as required by the California Building Code.
<b>Brochure</b>	A document prepared by the City that summarizes the general rules of conduct and applicable short-term rental regulations to be adhered to by renters.
<b>BTC</b>	Business Tax Certificate is a tax payable when the City issues a Business Tax Certificate by every person conducting, carrying on, or managing any business within the City of Grover Beach.
<b>Development Code</b>	The City of Grover Beach zoning and development regulations known as Article IX in the Grover Beach Municipal Code.



## City of Grover Beach | Short-Term Rental Administrative Rules

<b>City</b>	The City of Grover Beach comprising of all lots within its incorporated City Limit line.
<b>City Council</b>	The City Council of the City of Grover Beach.
<b>GBMC</b>	The Grover Beach Municipal Code.
<b>Guest</b>	An invitee of a renter or other person visiting a renter of a short-term rental unit who does not rent the unit. Guests shall only be allowed at the short-term rental between the hours of 7:00 a.m. and 10:00 p.m. unless they intend to occupy the unit for the evening consistent with Section 8.(F).
<b>Hotline</b>	The telephonic service or electronic messaging service operated by or for the City for the purpose of receiving complaints regarding the operation of any Short-Term Rental and forwarding the complaints to the local contact person.
<b>Hosting Platform</b>	An internet based service, or property management company that provides advertisement for a short-term rental property.
<b>Legally Permitted</b>	A residential dwelling unit, remodel, or addition that has been issued a building permit by the City, or the County prior to incorporation.
<b>Local Contact Person</b>	A person designated on the short-term rental permit, whom shall be available 24-hours a day, seven days a week for the purpose of responding in-person to the short-term rental site within 30 minutes of receiving a complaint regarding the condition, operation, or conduct of guests and is authorized by the owner to take remedial action and who responds to violations.
<b>Non-Owner-Occupied</b>	A short-term rental in which the owner does not reside on the property during the time a renter is occupying the residence.
<b>Operator</b>	A person that is operating an STR either as an authorized agent for an owner (property manager), or as a legal occupant of the long-term rental with landlord permission.
<b>Owner-Occupied</b>	A short-term rental in which the owner resides on the property during the time a renter is occupying the residence.
<b>Owner</b>	A person or entity holding legal title and/or equitable title to the real property that is the subject of a short-term rental permit.
<b>Permittee</b>	The applicant (property owner) that has been issued a Short-Term Rental Permit.
<b>Residential Unit</b>	A building or portion thereof designed for or occupied in its entirety or in part, as a home, residency, or sleeping place, either



permanently or temporarily, and containing not more than one kitchen per residential unit.

**Renter**

A person renting or occupying a short-term rental property in accordance with the GBMC. For purposes of these regulations, “renter” shall have the same meaning as “transient,” as defined in Municipal Code Article X Chapter 6.

**Short-Term Rental**

The rental of a private residence, or any portion of the private residence, for thirty or less consecutive days for which a rental contract for occupancy has been made which the short-term rental use is permitted to operate, pursuant to a current and valid short-term rental permit on file with the city. A short-term rental may be either an owner-occupied or non-owner-occupied short-term rental.

**STR Permit**

An issued document that allows a rental of a residential unit for a period of less than 30 consecutive calendar days or less, subject to all applicable City development code regulations, permit/licensing requirements, and payment of fees and/or taxes, including transient occupancy tax, and tourism marketing district taxes as defined in the GBMC.

**STR Permit Renewal**

A Short-Term Rental Permit Renewal Application to continue operation of an existing Short-Term Rental that the owner of a Residential Unit must fill out and submit to the City’s Community Development Department by July 31<sup>st</sup> of each year to renew their permit.

**Stay**

A stay is considered the rental period in which a residential unit is occupied by a renter.

**TOT**

Transient Occupancy Tax (TOT) is charged for the privilege of occupancy in a residential unit. Each transient is subject to and shall pay a tax in the amount of twelve (12%) percent of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator.

**TMD**

Tourism Marketing District (TMD), requires that all operators who collect Transient Occupancy Tax (TOT) within the County also begin remitting an additional 1.5% of taxable rents beginning with rents collected on July 1, 2020. The District is designed to provide funding for County-wide marketing, advertising, promotions and sales efforts on behalf of the assessed businesses.



## 2. Introduction

The City Council adopted a short-term rental (STR) ordinance on June 17, 2019 that established a permitting process for all STRs and regulations for all STRs operating in the City. The Ordinance number 19-04 is codified in the Grover Beach Municipal Code (GBMC) Article IX Development Code Chapter 4 Section 4.10.185. The Ordinance authorizes the City Manager to establish administrative rules and regulation consistent with the Ordinance for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the requirements of the Ordinance.

## 3. Key Dates and Deadlines

The following table sets forth key dates and deadlines for the City's STR regulations.

<b>Key Dates and Deadlines</b>	
<b>September 11, 2019</b>	California Coastal Commission approved local ordinance regulating Short-Term Rentals.
<b>October 1, 2019</b>	STR application and BTC application available on city's website <a href="https://str.groverbeach.org">https://str.groverbeach.org</a> . Applications accepted online only.
<b>November 12, 2019</b>	Enforcement of STRs that have not applied for permits begins.
<b>December 31 of each year</b>	Business Tax Certificate renewals are due (sent via us mail by Administrative Services Department)
<b>July 1- July 31</b>	STR Permit Renewal Applications period. Renewals completed online only at <a href="https://str.groverbeach.org">https://str.groverbeach.org</a> .
<b>July 31 of each year</b>	Final day to apply for a renewal. If a renewal application is not received by July 31, the permit may be revoked
<b>August 1 to July 31</b>	Permits are valid from August 1 to July 31 of the next year (i.e. August 1, 2021 to July 31, 2022).

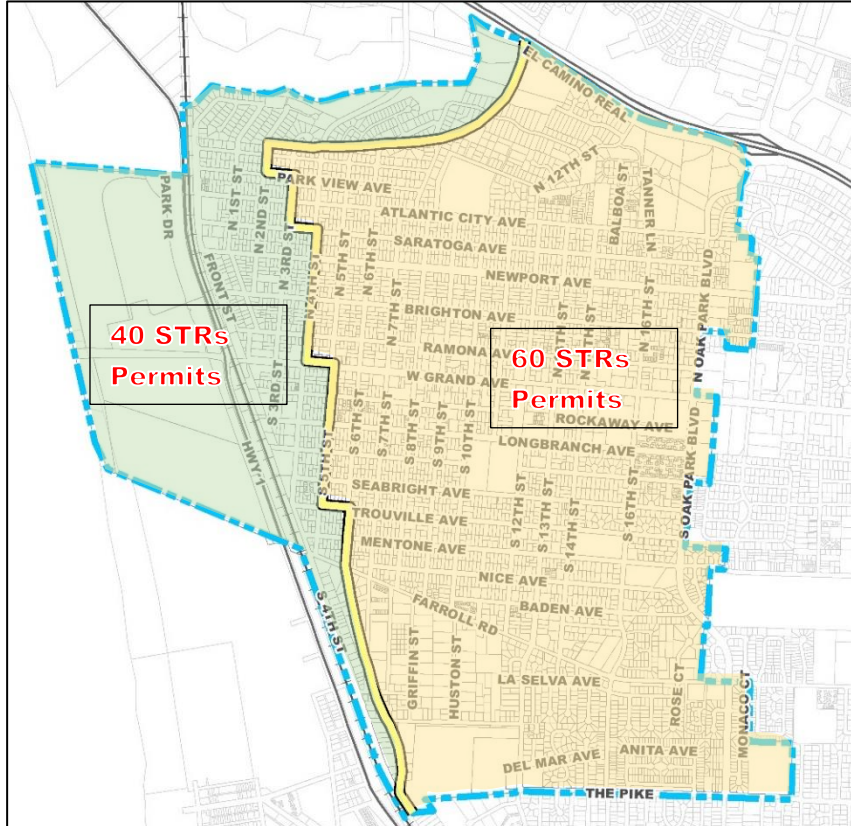




#### 4. Number of Short-Term Rentals Allowed

The Development Code establishes a maximum number of STRs for non-owner-occupied units (Development Code Section 4.10.185.G). A maximum of 40 non-owner-occupied STRs will be allowed on properties within the coastal zone. A maximum of 60 non-owner-occupied STRs will be allowed on properties outside of the coastal zone. There is no limit for the number of STR permits issued for owner-occupied units. Permits will be issued on a first come, first serve basis.

**City Map – Maximum Number of Non-Owner-Occupied STRs**



#### 5. Short-Term Rental Permits

- A. Application. An application must be completed on-line at <https://str.groverbeach.org> with all the required information and submitted with a fee approved in the City’s Master Fee Schedule. The City will review all information submitted, including a review of City building permits to ensure floor plans and site plans are in compliance with City records. If as part of the application review process it is determined that construction occurred at the residence without a valid building permit issued by the City, a code enforcement investigation will be opened and your STR application will be denied until building permits have been issued and the work is completed. **Applications will be rejected if an open building permit is on file for the property.** The following items are required to be submitted for an STR application.



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1. Applicant Name – This is the name of the property owner. If you are a renter, the landlord’s name must appear on this line and match property records. A permit will be issued to the property owner.
2. Property Address – This is the address of the property. This must match property records maintained by the City.
3. Mailing Address – This is a mailing address where forms and other communications are to be sent. If this is the same as the property address type “same as property.”
4. Applicant Contact Number – This is a phone number to contact either the property owner or the authorized agent such as a property manager or renter. It is recommended this number be a mobile phone number.
5. Applicant Email Address – This is an email to contact either the property owner or the authorized agent such as a property manager or renter.

Assessor’s Parcel Number – This is a property identification number issued by San Luis Obispo County Assessor’s Office. This number may be obtained by visiting either the County Assessor’s website <https://www.slocounty.ca.gov/Departments/Assessor/Services/Property-Information-Search.aspx> or the City’s Zoning information website <https://www.google.com/maps/d/viewer?mid=1oxe-GE-bg8RPy7-FmIGbYTaoAjpyawT3&ll=35.12985372392944%2C-120.62230030638129&z=18>

6. Fee. An application fee is due at the time of permit registration. This fee covers the cost of City staff time and the City’s third party vendor that accepts the application, monitors the hotline, and performs other assigned contractual tasks. The application fee can change annually and is in the City’s Master Fee Schedule. The fee is not pro-rated at the time of permit registration. The third party vendor may charge a separate fee for credit card and Automated Clearing House (ACH) payments directly from a checking account.
7. Owner-Occupied - The owner resides on the property during the time a renter occupies the residence, between the hours of 10:00 p.m. to 7:00 a.m. To be considered an owner-occupied STR, you must submit a property tax bill that shows the “homeowner” exemption. If a renter, through permission from a landlord, is operating the STR, a copy of the lease shall be submitted in lieu of a property tax bill. A maximum of four (4) entire home stays up to a maximum of 30 days total, is permitted, per permit year (July 1-June 30), to maintain owner-occupied status. In no instance can an owner-occupied permit holder utilize an on-site camper, RV, or stay in a tent, on the property to qualify for an owner-occupied permit.
8. Non-Owner-Occupied – The owner or entity does not reside permanently at the property and rents their entire home and is not present during the duration of the stay.



9. Local Contact – All STRs must provide a local contact person who is available 24-hours a day seven (7) days per week and must be located within 30 minute drive of the short-term rental property. The local contact must be able to be present at the non-owner occupied dwelling within 30 minutes. Typically for owner-occupied units, this is the owner, but may also include a secondary contact that is located within 30 minutes of the short-term rental property. City staff will contact the local contact person prior to permit issuance and renewal to verify their role.
  10. Site Plan – A site plan showing the location of the residence, all buildings, and setbacks from property lines. An example of this is available at <http://www.grover.org/DocumentCenter/View/8811/Site-Plan-Example-GB?bidId=> . Site Plan must indicate the location of parking, electrical meter, gas meter shutoff, and water shutoff valve. This site plan needs to be to scale (i.e. 1 inch = 10 feet).
  11. Floor Plan – A plan showing the entire floor plan (include all stories) of your residence must be included. Please indicate the location of the following: proposed room(s) to be used for short-term rentals, if using the entire house, indicate entire house, location of all smoke detectors, carbon monoxide detector(s), fire extinguisher within kitchen. Plans are to be completed to scale (i.e. 1 inch = 10 feet). An example is available at:  
<http://www.grover.org/DocumentCenter/View/8812/Floor-Plan-Example-GB?bidId=>.
  12. Grant Deed – A grant deed is required for any short-term rental permit owned by a property for less than a year, and/or does not match City property records.
  13. CC&Rs/HOA – These are required if your property was developed as a planned unit development (PUD), or your property is part of a Homeowners Association or has recorded Covenants, Conditions, and Restrictions. A copy of these restrictions are typically included with your deed or escrow papers. If you need to obtain additional copies, you will need to visit the San Luis Obispo County Recorder's Office.
  14. Authorized Agent Form – This form is required if an application is being submitted by a property manager or renter with authorization from a landlord. The form can be accessed at <http://grover.org/DocumentCenter/View/6732>. This form is not required if you will be managing your own property.
- A. Business Tax Certificate. Concurrent with an application for a STR permit, the applicant must submit an application for a business tax certificate (BTC). The applicant shall pay the minimum BTC amount, as established in the Master Fee Schedule. All short-term rental permittees shall renew their BTC when it is required by the Grover Beach Municipal Code.



- B. Inspections. After a review of the initial application submittal, an inspection is required for all non-owner-occupied units prior to approval of an STR permit. An inspection checklist can be accessed at <http://www.grover.org/DocumentCenter/View/8893/Non-Owner-Occupied-Inspection-Checklist?bidId=>. Owner-occupied STRs must complete a self-certification checklist and submit this with their application. This checklist is included in the appendix for both owner and non-owner-occupied units and can be accessed here: <http://www.grover.org/DocumentCenter/View/8894>.
- C. Approval. After review of an STR application and inspection completed for non-owner-occupied STRs, the Community Development Director, or their designee shall approve a short-term rental permit if the owner/operator demonstrates compliance with the STR ordinance. In no instance shall an STR operator advertise or complete stays without a valid STR permit after November 12, 2019.
- D. Notification. City staff shall notify all property owners and occupants in writing within a 150-foot radius for a non-owner-occupied STR following approval of the STR permit. The information provided will include the rental address, the owner's name, 24-hour phone number for complaints, and the maximum number of occupants. No notification is required for owner-occupied STRs.
- E. Issuance of Certificate. A certificate will be issued via email to the applicant's email, as provided in the application. This certificate will include the owner's name, permit number, and date of approval. Permits shall be issued to the owner only. If a permittee does not receive their certificate, they should email city staff at [str@groverbeach.org](mailto:str@groverbeach.org) and request a copy. It is the responsibility of the permittee to transmit this certificate to their property manager.
- F. Renewals. All STR permits shall expire on July 31 of each calendar year. Renewal notices will be sent via the applicant's email provided on or before July 1<sup>st</sup> of each year. The permit holder shall submit the STR renewal fee as shown on the City's Master Fee Schedule, along with required application submittal materials. Any STR permit not renewed on or before August 1 of each calendar year shall be considered expired and will need to re-submitted as a new STR permit. If there is a wait list, the permittee will be placed on this list.
- G. Wait List. Upon reaching the maximum number of non-owner-occupied STR permits issued, the City will establish a wait list. If a permit is not renewed, or a permit is revoked, staff will notify the waitlist applicant of availability and the waitlist applicant will have fifteen (15) calendar days to submit an application. The wait list form can be found here: <https://forms.gle/2qb4r7B4uKzbQ4xV6>. **Applicants on the wait list should provide contact information including email address and phone number.**
- H. Permit Denials. An STR permit or renewal may be denied for the following reasons:
1. Code Violations or Life Safety Issues – At the time the short-term rental permit application or annual permit renewal is submitted, the short-term rental property has an active code violation related to structures, land use or life safety issues, including but not limited to illegal structures,



conversion of space without a building permit, illegal room additions, etc.

2. Suspension or Revocation – The operator has had a prior short-term rental permit suspended or revoked or has been cited for violating any provision of this Section or the Municipal Code related to the use or maintenance of the property of the short-term rental in the prior two years.
3. CC&R Prohibition –If there is credible evidence that any private governing documents, including but not limited to, conditions, covenants and restrictions (“CC&Rs”) that are valid and enforceable pursuant to the Davis-Stirling Common Interest Development Act, as set forth in California Civil Code Section 4000 et seq., which prohibit the use of such owner’s single-family dwelling, multi-family dwelling, or mobile home for use as an STR.
4. Lack of On-site Parking – The subject property lacks adequate on-site parking or impedes ingress and/or egress access to the subject property or adjacent properties.
5. Failure to Provide Information – The applicant/operator fails to provide any of the required application information or demonstrate compliance with the requirements of Development Code Section 4.10.185 or the Administrative Rules, which includes any additional information requested of City staff during the initial review period of a permit.

## 6. Business Tax Certificate

A Business Tax Certificate (BTC) is required along with an STR permit. An STR operator shall pay the minimum BTC amount. BTC’s are not pro-rated for operations associated with an STR. BTC’s must be renewed on or before December 31 of each calendar year. BTC fees are separate from STR fees and TOT/TMD taxes. Renewals shall be remitted to the Administrative Services Department.

## 7. Payment of TOT/TMD Taxes

All STR operators must comply with the requirements, procedures, and schedule set forth in Article X, Chapter 6 of the GBMC regarding remittance of the Transient Occupancy Tax (TOT) and Tourism Marketing District (TMD) taxes to the City.

- A. TOT / TMD Tax Rates. As of July 1, 2020, the Transient Occupancy Tax (TOT) is 12%. The tax rate for Tourism Marketing District (TMD) is 1.5%.
- B. Payment Due. Payment of TOT/TMD taxes are due on or before the last day of the month following the reporting period (i.e., June reporting period, due on July 31). Postmarks are not accepted
- C. Payment. Payment of TOT/TMD may be made ~~either~~ online **only** at <https://str.groverbeach.org>, through electronic check or credit card / debit card, **by clicking on the link “Make TOT Payments” or clicking this direct link:** [https://secure.hostcompliance.com/grover-beach-ca/remittance/registration\\_number](https://secure.hostcompliance.com/grover-beach-ca/remittance/registration_number) ~~or~~



~~by completing this form and remitted to the city with either cash or check. You may access this document at the following link:~~ Payments are responsibility of the permittee. Platforms such as Airbnb, VRBO, etc. do not remit these taxes to the City; therefore, it is the permittee's responsibility to ensure payments are made.

- D. Penalties. Penalties are due consistent with Article X, Chapter 6 of the GBMC.
- E. Exception. Exceptions to payments of TOT/TMD shall be consistent with Article X, Chapter 6 of the GBMC and shall include proper documentation.

## 8. Short-Term Rental Operator Regulations

The following are regulations and clarifications for short-term rental operators. These regulations will be updated periodically for clarification of situations that may develop based on the implementation of the STR regulations within the City.

- A. Owner-Occupied STR Requirements. The following are requirements that shall be adhered to qualify for an owner-occupied STR permit. If you do not meet these regulations, an STR permit shall be submitted as a non-owner-occupied STR.
  - 1. During Stays. An owner must be in the residence or in another residence on the property during the time of a stay during the hours of 10:00 p.m. to 7:00 a.m.
  - 2. Property Verification. At the time of application, an owner must submit their property tax bill issued by the San Luis Obispo County Assessor's office. This tax bill must contain the "homeowners exemption" line.
  - 3. Multiple Units on a Property. An owner-occupied STR permit may be issued for a maximum of one unit when there are multiple units on the property, legally permitted and if it is ADU constructed prior to June 17, 2019. In no instance can an owner-occupied permit be issued when an ADU is constructed, and the owner occupies the ADU.
  - 4. Use of Accessory Dwelling Units. Accessory dwelling units or the primary residence may be rented as an entire home stay if the following qualifications are met: the accessory dwelling unit was legally permitted prior to June 17, 2019, or the owner had applied for a building permit for an accessory dwelling unit on or before June 17, 2019; and the owner will reside in either the primary residence or accessory unit during the duration of a stay.
  - 5. Use of Tiny Homes. Tiny homes shall be prohibited from use as a short-term rental.
  - 6. Entire Home Rental Exception. A maximum of 30 nights total, is permitted per permit year and still allow the owner-occupied status during a permit year (August 1 to July 31). In no instance may an accessory dwelling unit and the primary residence be rented simultaneously.



B. Non-Owner Occupied Requirements. The following are requirements that shall be adhered to in order to qualify for a non-owner-occupied STR permit.

1. Multiple Units on a Property. A non-owner-occupied STR permit shall be limited to the following:
  - a. Single-family residences. Lots with a single family residence and a secondary unit (e.g., guesthouse, accessory dwelling unit (ADU) ), legally permitted or constructed prior to June 17, 2019, shall be limited to the issuance of one (1) STR permit.
  - b. Multifamily residential development on a single lot (e.g., apartments) . STR permit issuance after August 1, 2021 shall be limited to one (1) unit per building when units share common walls.
2. Use of Accessory Dwelling Units. An accessory dwelling unit shall not be used as a STR for non-owner-occupied units.
3. Use of a Tiny Home. Tiny homes shall be prohibited from use as a short-term rental.

C. Local Contact Person. A non-owner-occupied STR permit must include a local contact person. The local contact shall respond to a complaint and be present at the STR within 30-minutes of receiving a complaint at all times. An owner-occupied unit must include a secondary local contact person at the time of application, if the owner will utilize the entire home rental exception in Section 8.A.5.

1. Verification. City staff will verify the address provided for the local contact person(s) meets the 30-minute response time by calculating the travel time from the local contact person's address to the address of the STR using Google Maps, or similar mapping program, for a Saturday at 8:00 p.m. to determine travel time.
2. Phone Number. Local contact shall provide a phone number to be contacted by City Staff, or contracted third party. A toll-free number or answering service is acceptable, provided that the local contact responds to complaints as outline in this section.
3. Travel Time outside of 30 minutes. If city staff determines that the local contact person is outside the 30-minute response travel time, the applicant must choose a new local contact person that meets the minimum criteria. No permit will be issued without a local contact person that meets these criteria.
4. Response to Complaints. The local contact person shall have 30 minutes to respond to a complaint that is logged by the City's contracted third party vendor, or the City Police Department. If a telephonic message, text, or email is left or sent by either the third party vendor, or the City Police Department, the local contact shall respond by either calling the renters or going to the rental within 30 minutes of receiving this message.
5. Follow-up. The local contact shall reply to the City's third party vendor, and email city staff at [str@groverbeach.org](mailto:str@groverbeach.org) within 24 hours of the complaint and include the following:



- a. Acknowledgement of the complaint received
  - b. Resolution of complaint
6. Change in local contact. Permittee shall notify city staff within 24 hours of a change to the designated local contact and provide the following: name, address, email, and telephone number.

Hotline/Complaints. The City shall establish and maintain a non-emergency 24-hour hotline telephone number and electronic messaging system for the express purpose of receiving complaints regarding the operation of any short-term rental property and will forward those complaints to the local contact person for immediate resolution of the complaint, and/or, if necessary, to the Grover Beach Police Department if the complaint has not been resolved within 30 minutes of the initial call to the hotline, consistent with GBMC Article I, Chapter 4.

1. Information Collected. The hotline shall maintain a record of complaints received that include the following information:
  - a. Date and time of complaint;
  - b. Nature of complaint;
  - c. Address of the short-term rental property that is the subject of the complaint;
  - d. Complainant's name, address and contact information;
  - e. Actions taken by the hotline attendant in response to the complaint including, but not limited to: persons contacted, including law enforcement, if applicable, and date and time of actions taken in response to complaint; and
  - f. Corrective action taken by the local contact person in response to complaint.
2. Duration of Registered Complaint. All complaints shall be kept for a maximum of three (3) years from the date the complaint was received.
3. Notification. The owner/operator shall receive a copy of the complaint received through electronic communications (i.e., email).

D. Advertising. The following are requirements to be placed on listing for all platforms and advertisements for STRs.

1. Permit Number. All STR advertisements shall include "Grover Beach STR Permit \_\_\_\_". This information shall be located in the platform rental summary near the top of the advertisement printed in the same size font as the largest font used in the summary.
2. Maximum Number of Occupants. All STR advertisements shall also include the maximum number of permitted overnight occupants which shall be equal to or less than the maximum number of occupants on the approved STR Permit.
3. Temporary/Permanent Signage. All owners/operators shall not place any signage on the property indicating the use of the property as a short-term rental for safety of guests and owner/operators.





- E. Responsible Party. As a part of an STR stay or rental, a responsible party must be designated. The responsible party is the person that signs the STR contract, either through a physical form or through a hosting platform. The responsible person is responsible for ensuring all guests and occupants comply with the STR regulations at all times.
- F. Rental Unit Requirements. The following are requirements for all rental units or rooms that are to be occupied by guests.
1. Property maintenance. The property is well maintained and clean appearance and is consistent with the submitted site plan.
  2. Legible Street Address. The property's street address numbers are clearly visible from the street using 4-inch numbers and contrast to the color of the mounting surface.
  3. Trash / Recycling. Appropriate trash and recycling containers are not visible from the street and accessible to the renter.
  4. Exterior Gates. Exterior gates leading to and from the front, side, and/or back yards are not padlocked and can be used in case of an emergency.
  5. Required Parking Location and Surfaces. All residences must meet the minimum parking requirements in Development Code Section 3.50. Surface parking spaces must be a minimum of 9 feet by 18 feet located on an approved hardscape material (Section 4.10.185.H.3). Hardscape materials shall include concrete, asphalt, pavers, gravel base and other acceptable materials as determined by the City Manager. Hardscape materials do not include lawn, landscape areas, dirt, or mulch. Parking spaces shall not block existing sidewalks or if no sidewalk exists, the parking spaces shall not be within the future location of the public sidewalk. If you have questions about the location of future sidewalks, please contact the City's Public Works Department at (805) 473-4530.
  6. Emergency Map. An emergency exit map is posted in an area visible to the renter that illustrates how to exit the property in the event of an emergency.
  7. Hallway / Exit Doors. Hallway and exit doors are operational and not obstructed.
  8. Double Keys Dead Bolt. Doubled-keyed dead bolt locks are prohibited on all exit doors and must not be present.
  9. Minimum Sleeping Room Size. Bedrooms or sleeping rooms occupied by renters shall be a minimum of 7 feet in all directions and not less than 70 square feet in area and have an egress window and door.



10. Carbon Monoxide Detector. All STRs shall have a minimum of one carbon monoxide detector with AC power and a battery back-up. This is to be located either in the common room for a residential unit.
  11. Smoke Detector. Smoke detectors shall be operational at all times. Smoke detectors shall be either DC (direct current) with a 10-year battery life or AC (alternating current) with a battery back-up. There shall be a smoke detector located in each bedroom rented as a STR and the hall leading to the bedroom(s). If a living room or sleeping couch is utilized, a smoke detector must also be in place in that area.
  12. Fire Extinguisher. All STRs shall one fire extinguisher located in or near the kitchen.
  13. Fire Sprinklers. Residences with existing fire sprinkler systems shall have an annual fire sprinkler system inspection indicating the system has “passed”. An STR Permit cannot be issued until an inspection has been performed and passed. Any required repairs shall be performed by a licensed C-16 fire sprinkler contractor prior to issuance of an STR permit.
  14. Placement of Permit. The owner/operator shall post the City issued STR permit in a location visible to guests.
  15. Good Neighbor Brochure. The owner/operator shall provide the responsible party with the City’s good neighbor brochure either by hardcopy or a link to the City’s website. This link should be included in any “rules” established by the owner/operator.
- G. Inspections. For non-owner-occupied units, an inspection shall be completed by city staff prior to issuance of an STR permit to verify the application materials and ensure the STR requirements have been met. A copy of the Non-Owner-Occupied Inspection Checklist is available as a part of the appendix. For owner-occupied STR units, a self-certification inspection is required and needs to be submitted concurrently with an STR application. A copy of the Owner-Occupied Self Certification Checklist is included as a part of the appendix.

City staff may inspect any STR if there is “good cause” for potential violations including but not limited to hotline complaints, code enforcement complaints, notifications from hosting platforms of potential violations, etc. City staff shall notify the owner/operator of an inspection and the owner/operator shall allow an inspection within 72-hours of the notification. A notice of violation may be issued if violations are found.

- H. Transfer/Change in Ownership. If the title changes from a person a living trust, where the owners are named as the trustees, notification to the City is required but a new application is not required.

If a STR permit was revoked or suspended and a new STR application is submitted indicating a change of ownership, all previous owners shall be prohibited from



being part of the new ownership and the new STR application cannot include a spouse or other immediate family member (e.g., siblings, children, parents, grandparents), a change to ownership percentage, name change, or transfer to spouse or other family member (e.g., siblings, children, parents, grandparents). The City Manager may request additional ownership documents and information to ascertain if the change in ownership is an attempt to allow the STR to be operated by another family member. The City Manager in his independent judgement may deny the new STR permit based on the determination that the new ownership is not a complete change in ownership.

In no event may a permit be transferred when a property is purchased. New owners must apply for a separate permit, and submit all required documents, and fees, etc. If there are no permits available, the new property owner may submit a form to be placed on the waitlist.

- I. Minimum Number of Overnight Stays to Maintain Valid Permit. All permits shall have a minimum of 12 overnight stays during the permit year, July 1 through June 30. If an owner does not comply with the minimum number of 12 stays, the permit will be revoked.

## 9. Violations

Notice of Violations shall be issued to operators of Short-Term Rentals based on the following rules.

1. Advertising without a STR Permit number listed. All permitted short-term rentals must include their STR number in all advertisements or may result in a violation as follows:
  - a. A Notice of Violation letter or email will be sent to operators / permittees, providing 14-days to update listings with required information.
  - b. If the violation remains after 14 days, a follow-up letter / email will be provided to come into compliance, within 7 days.
  - c. If the violation remains, or another violation is found within 90 days, a citation may be issued.
2. Disturbance of the peace violation. A police report is taken for disturbing the peace with a renter / guest staying at an STR shall result in a violation as follows:
  - a. 1<sup>st</sup> Violation within 90 days. A citation may be issued.
  - b. 2<sup>nd</sup> Violation within 90 days. A citation may be issued.
  - c. 3<sup>rd</sup> Violation within 90 day is cause for permit revocation consistent with Development Code Section 4.10.185.L.
3. Failure to Remit Required Taxes. Taxes are required to be remitted, or reported each month, even if no stays are completed. Failure to pay taxes in a timely manner shall result in the following:
  - a. Fines shall be levied consistent with GBMC Article X, Chapter 6.
  - b. Failure to Make Payments – If TOT or TDM taxes are not remitted in accordance with GBMC Article X, Chapter 6 after 90



days this shall be cause for permit revocation consistent with Development Code Section 4.10.185.L

4. Failure of Local Contact to Respond. A local contact shall respond to a call from the City's third party vendor within 30 minutes as required by Section 8.C.3. If a local contact does not respond to this phone call as required by Section 8.C.3, this shall result in a violation as follows:
  - a. First violation, a letter / email will be issued by City staff warning the permittee and the local contact to respond to all calls within 30 minutes.
  - b. 2<sup>nd</sup> Violation within 90 days, a citation may be issued
  - c. 3<sup>rd</sup> Violation within 90 days, a 2<sup>nd</sup> citation may be issued
  - d. 4<sup>th</sup> Violation within 90 days is cause for permit revocation consistent with Development Code Section 4.10.185.L.
  - e. One violation is considered a call between a 48-hour period (i.e. multiple calls on a weekend is considered one violation).
  
5. Occupancy Limit Violation. Hosting renters beyond the allowed limit of your permit occupancy shall result in a violation as follows:
  - a. a. First Violation. A letter shall be sent to the property owner informing them of the violation. Property owner must ensure total number of guests match their allowed occupancy. If there is a police report taken this may be waived to an citation.
  - b. b. 2nd Violation. A citation may be issued. A violation is considered a documented stay identified by the City's 3rd party vendor within 90 days.
  - c. c. 3rd Violation. A citation may be issued. A violation is considered a 2nd documented stay identified by the City's 3rd party vendor within 90 days.
  
6. Operation of a Short-Term Rental without a Permit. It is illegal to operate a short-term rental without a valid permit. Operations without a STR Permit shall result in the issuance of a Notice of Violation as follows:
  - a. First Violation. A letter shall be sent to the property owner informing them of the violation and 14 days to comply with either submittal for a permit or removal of the advertisement.
  - b. 2<sup>nd</sup> Violation. A citation may be issued. A violation is considered a documented stay identified by the City's third party vendor within one year.
  - c. 3<sup>rd</sup> Violation. A citation may be issued. A violation is considered a second documented stay identified by the City's third party vendor within one year.
  - d. Code enforcement case to be referred to the City Attorney.
  
7. Noise Violations. No music, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any short-term rental between the hours of 10:00 p.m. and 7:00 a.m. and the operation of a Short-Term Rental shall be in compliance with the City's Noise



Ordinance at all times. Failure to comply with the above shall result in a violation as follows:

- a. First Violation. A copy of a signed sworn statement by the responding officer along with a warning letter shall be provided to the permittee and local contact.
- b. 2<sup>nd</sup> Violation within 90 days, a citation may be issued.
- c. 3<sup>rd</sup> Violation within 90 days, a citation may be issued.
- d. 4<sup>th</sup> Violation within 90 days is cause for permit revocation consistent with Development Code Section 4.10.185.L.
- e. One violation is considered a call between a 48-hour period (i.e. multiple calls on a weekend is considered one violation).

8. Trash Violations.

- a. 1<sup>st</sup> Violation. A warning letter / email will be sent to the permittee and or local contact. Trash cans shall be removed from the right-of-way within 48 hours of receipt of the letter / email.
- b. 2<sup>nd</sup> Violation within 90 days. A 2<sup>nd</sup> warning letter / email will be sent to the permittee / local contact. Trash cans shall be removed from the right-of-way within 48 hours of receipt of the letter / email.
- c. 3<sup>rd</sup> Violation and subsequent violations within 90 days. A citation may be issued.

9. Other Violations. Other violations shall be reviewed by the Community Development Director to determine severity of violations.

## **10. Revocation of Permit**

Revocation of a STR permit shall be consistent with Development Code Section 4.10.185.L and M.