

## ORDINANCE 2025-12

### An Ordinance updating the City's Short Term Rental Code.

**WHEREAS**, Heber City's Short Term Rental Code has been complex and subjective and difficult to enforce;

**WHEREAS**, Heber City residents have expressed a desire for more consistent City enforcement of the Short Term Rental Code;

**WHEREAS**, Short Term Rental Operators have expressed a desire for a fair and non-subjective strategy for Short Term Rental regulation;

**WHEREAS**, Law Enforcement has expressed a need for a simplified code that is easier to enforce and contains less subjectivity.

**NOW, THEREFORE**, the City Council finds it in the public interest to adopt a modified Short Term Rental Code.

**BE IT ORDAINED** by the City Council of Heber City, Utah, that Heber City Municipal Code, Subsection 8.04.030 B. 35. is hereby adopted, and Chapter 5.26 is hereby modified as shown in Exhibit A.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

To the extent that any ordinances, resolutions, or policies of Heber City materially conflict with the provisions of this Ordinance, they are hereby amended to comply with the provisions hereof.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 17 day of 2025. *June*.

	AYE	NAY	ABSENT	ABSTAIN
Aaron Cheatwood	<u>✓</u>	<u>          </u>	<u>          </u>	<u>          </u>
Michael Johnston	<u>✓</u>	<u>          </u>	<u>          </u>	<u>          </u>
Sid Ostergaard	<u>✓</u>	<u>          </u>	<u>          </u>	<u>          </u>

Scott Phillips

\_\_\_\_\_ ✓ \_\_\_\_\_

Yvonne Barney

✓ \_\_\_\_\_

APPROVED:

Heidi Franco  
Mayor Heidi Franco

ATTEST:

Robin E. Baines-Bad Date: June 17, 2025 Deputy  
RECORDER



## **EXHIBIT A**

**8.04.030 B. 35.** The operation of a Short Term Rental business without a business license and/or in violation of the municipal code.

### **CHAPTER 5.26 SHORT TERM RENTALS**

- 5.26.010 Purpose
- 5.26.020 Definitions
- 5.26.030 Licenses Required
- 5.26.040 Rental Conditions and Regulations

#### **5.26.010 Purpose**

The purpose of this chapter is to provide a process for the licensing and administration of STR licenses in Heber City and to establish rules and regulations related to properties licensed as a Short Term Rental.

#### **5.26.020 Definitions**

For the purposes of this Chapter, the following definitions shall apply:

- A. "Lodger" means any person who, individually or as part of a group, reserves and resides in a Short Term Rental.
- B. "Short Term Rental (STR)" means the rental of any single family detached residential dwelling, or any portion thereof, for a period of less than 30 days.

#### **5.26.030 Licenses Required & Potential Penalties**

- A. It is unlawful to engage in the operation of an STR business without first receiving a business license from Heber City for the STR. See Heber City's Standard Business License Application.
- B. All STR operators shall pay the applicable sales tax, property tax, personal property tax and transient room tax.
- C. STR Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.
- D. Operation of an STR without a license and/or in violation of the municipal code is declared to be a public nuisance enforced through Chapter 8.04 of the municipal code. Violations are strictly enforced and may include civil penalties of up to \$200 per day until the nuisance is abated and/or criminal penalties of up to \$750 and up to 90 days in jail as a Class C Misdemeanor.

## **5.26.040      Rental Conditions and Regulations**

All STR licensees shall comply with the following:

- A. STRs are only permitted within Detached Single Family Dwellings, except in areas with development agreements specifically approved for such by the City Council
- B. All STRs must have a rental manager who resides within a 10-mile radius of the STR. STR managers must be available at all times the property is in use as an STR. The property owner may be the rental manager. Contact information for the individual owner and STR manager shall be on file with the City Business Licensing Department and the Heber City Police Department.
- C. Rentals are subject to passing an inspection by the following:
  - 1. Wasatch County Health Department
  - 2. Wasatch County Fire District
- D. Heber City and its Departments maintain the right to inspect any STR for the purpose of determining compliance with state, local, health and safety codes and compliance with this Chapter 5.26.
- E. Exterior signs associated with STRs are prohibited.
- F. The following shall be posted in a conspicuous place inside the dwelling near the front door:
  - 1. The Official Heber City Notice of Potential Fines and Criminal Penalties (available from the Business License Administrator).
  - 2. Contact information for the homeowner or rental manager.
  - 3. Overnight occupancy limit & daylight hours occupancy limit.
  - 4. Parking requirements & limitations.
- G. Recreational vehicles, campers, or other travel trailers associated with the STR are not allowed to be parked on any public street or allowed to be occupied during the STR.
- H. Tents or other temporary structures intended for sleeping are prohibited.
- I. No commercial activity is permitted onsite without a current Heber City business license.
- J. Only one STR reservation is permitted at a time per property. The property owner must live onsite if only a portion of the dwelling is rented as an STR.
- K. The overnight occupancy shall be limited to 1 lodger per 200 square feet of livable area, or 16 lodgers, whichever is the lesser amount.
- L. The total number of people present on the property at any time shall not exceed 16 individuals, which includes any visitors.
- M. All vehicles associated with the STR, including any visitors, shall not be parked on a public street. Parking shall only be onsite and located upon approved hard surfaced parking (paved driveways).