

**MONA CITY
ORDINANCE 2023-16**

NOW THEREFORE, be it ordained by the Council of the Mona City, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “10-14 REGULATING SHORT TERM RENTALS” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14 REGULATING SHORT TERM RENTALS(*Added*)

SECTION 2: **ADOPTION** “10-14-1 FINDINGS AND PURPOSE” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-1 FINDINGS AND PURPOSE(*Added*)

The City Council finds that while short-term rental properties may provide additional lodging opportunities for visitors to the city, such use is, essentially, a commercial use that can have significant adverse impact on the appearance, tranquility and standard of living in the surrounding neighborhoods and, therefore, merits reasonable regulation and enforcement. The purpose of this chapter is to regulate short-term rentals in the city in order to promote health, safety and general welfare of the residents of the city by establishing standards for short term rentals.

SECTION 3: **ADOPTION** “10-14-2 DEFINITIONS” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-2 DEFINITIONS(*Added*)

"Bedroom" means a room designated and used primarily for sleeping and rest.

"Owner" means the record property owner of the short-term rental property.

"Owner Occupied" means full-time residency of the home by the property owner as shown on the Utah County Tax Assessment Rolls.

"Short Term Rental" means the rental, letting of rooms or subleasing/renting of any structure, dwelling, or portion thereof for occupancy, dwelling, lodging or sleeping purposed for a period of less than thirty consecutive days.

"Short Term Rental Operator" or "Operator" means the owner or a responsible party designated by the owner of a short-term rental property to act for and in behalf of the owner in managing the peroperty. If the operator is not the owner, the actions, undertakings and certifications of the operator shall be deemed binding on the owner.

"Short Term Rental Property" means any real property used, or to be used, for short term rental purposes.

SECTION 4: ADOPTION "10-14-3 BUSINESS LICENSE; ROOM TAX"
of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-3 BUSINESS LICENSE; ROOM TAX(*Added*)

- A. The owner must continuously maintain in force and effect a Mona City business license for each short-term rental property and timely pay all taxes and fees relating to such business, including, without limitation, the transient room tax as provided in Utah Code §59-12-352 et. seq., as amended.
- B. An owner may designate a separate agent to act as operator of the owner's short term rental property and may authorize that operator to apply for, obtain, and maintain the business license and to prepare, submit, and remit associated taxes, reports, and fees; however, the business license shall be in the owner's name.
- C. License applications shall contain such information as the License Official shall from time to time require, including the location of the short-term rental property, the number of bedrooms contained in such property, the number and availability of appropriate parking spaces, the name, address, and telephone number of the owner, the name, address, and telephone number of any non-owner operator, and a telephone number for which a responsible party may be reached 24 hours a day, 7 days a week.
- D. For the purpose of regulation and to defray the cost of municipal regulation and administration, an annual Business License Fee in the amount set forth in the City Fee Schedule shall be levied and assessed for each short-term rental. Failure to pay the annual fee shall result in the revocation of the license.
- E. Before a license is granted hereunder; the short-term rental property must pass a fire code inspection.

SECTION 5: **ADOPTION** “10-14-4 MINIMUM DURATION” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-4 MINIMUM DURATION(*Added*)

Renting, letting of rooms or subleasing/renting of any structure or dwelling or portion thereof for occupancy, dwelling, lodging or sleeping purposes for less than two consecutive calendar days in duration is prohibited for a short-term rental property, unless the property is owner occupied.

SECTION 6: **ADOPTION** “10-14-5 OCCUPANCY LIMITS” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-5 OCCUPANCY LIMITS(*Added*)

Occupancy in any short-term rental property shall not exceed the lesser of:

- A. Two adults and two related children per bedroom
- B. Total occupancy of no more than 12 persons in the entire short-term rental property;
or
- C. Maximum occupancy allowed by fire code.

SECTION 7: **ADOPTION** “10-14-6 MANAGEMENT AND MAINTENANCE STANDARDS” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-6 MANAGEMENT AND MAINTENANCE STANDARDS(*Added*)

- A. Short term rental properties shall be properly maintained, painted and kept in good repair, meet all applicable building, health, and fire codes, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood.
- B. The property must be kept free from accumulated garbage and trash cans shall not be left at the curb for any period in excess of twenty-four (24) hours.

- C. A short-term rental property shall not have any signs visible from the exterior of the premises that advertise the use of the property as a short-term rental.
- D. Each short term rental operator and owner shall ensure that the occupants and guests of its short-term rental property do not create unreasonable noise or disturbances (judged against, inter alia, the nature of the neighborhood where the short-term rental property is located, the time of day of the noise or disturbance, and the level of noise or similar disturbances then emanating from surrounding properties), engage in disorderly conduct, or violate federal, state, or city law, rule or regulation. An operator shall be deemed to have ensured compliance with applicable law if it:
1. Clearly advises it occupants and guests of such requirements before they take occupancy of the property;
 2. Promptly and appropriately responds to complaints concerning the behavior of its occupants and guests within one hour of notification;
 3. Promptly evicts from the short-term rental property any who have failed to comply with applicable laws on two or more occasions during their period of occupancy of a short-term rental property; and
 4. Refuses to allow any persons who have been previously evicted to occupy the property in the future.
- E. Nothing herein shall exempt a short-term rental property from any applicable conditions, covenants and restrictions pertaining to a homeowners association.

SECTION 8: **ADOPTION** “10-14-7 PARKING” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-7 PARKING(*Added*)

Parking by occupants or guests of any short-term rental property shall be self-contained on the property's garage, carport, or driveway. No parking by occupants or guests shall be permitted on the street or property's yard. The operator shall ensure that snow and other obstructions are promptly removed so that the short-term rental property's off-street parking is available at all times to occupants and guests.

SECTION 9: **ADOPTION** “10-14-8 VIOLATIONS AND PENALTIES” of the Mona City Code is hereby *added* as follows:

ADOPTION

10-14-8 VIOLATIONS AND PENALTIES(*Added*)

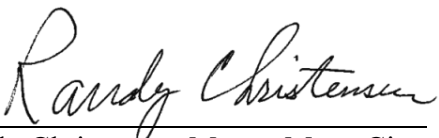
- A. Operation of a short-term rental without a license, or failure to comply with any provision of this chapter shall constitute a violation of the same, punishable by an infraction. Civil or administrative penalties, with fines equivalent to the applicable criminal penalty, may also be imposed. Each day that a violation occurs or continues is a separate violation.
- B. Failure to comply with any provision of this chapter may be cause for revocation of the short-term rental business license for the short-term rental property at issue. Repeated violations or violations that demonstrate a pattern of neglect or unsafe practices by the same owner or operator may be cause for revocation of all short-term rental business licenses associated with that owner or operator.

PASSED AND ADOPTED BY THE MONA CITY COUNCIL OCTOBER 10, 2023.

| | AYE | NAY | ABSENT | ABSTAIN |
|-------------------------------|--------------|------------|---------------|----------------|
| Councilmember Jay Christensen | _____ | _____ | _____ | <u> X </u> |
| Councilmember Amy Stanley | <u> X </u> | _____ | _____ | _____ |
| Councilmember Ron Warren | <u> X </u> | _____ | _____ | _____ |
| Councilmember Jay Mecham | <u> X </u> | _____ | _____ | _____ |
| Councilmember TJ Pace | <u> X </u> | _____ | _____ | _____ |

Presiding Officer

Attest



Randy Christensen, Mayor, Mona City



Alicia Hills, Recorder, Mona City



