

**VERNAL
ORDINANCE 2024-17**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL ADDING CHAPTER 16.23 -
SHORT TERM RENTALS.**

WHEREAS, the City Council finds that the regulation of short term rental units within the City is necessary for orderly growth and conduct of business within the City, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation

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

SECTION 1: **ADOPTION** “Chapter 16.23 Short Term Rentals” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Chapter 16.23 Short Term Rentals(*Added*)

SECTION 2: **ADOPTION** “Section 16.23.010 Established” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.23.010 Established(*Added*)

The purpose of this section is to establish regulations for privately-owned dwelling units as short-term rentals in residential zones within Vernal City. These regulations aim to protect the quality of life for local residents’, preserve the characteristics of residential neighborhoods, ensure proper collection and remittance of transient room taxes and appropriate sales and use taxes and to address negative impacts relating to noise, parking, traffic, garbage and other common occurrences resulting from short-term rentals.

SECTION 3: ADOPTION “Section 16.23.020 Definitions” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.23.020 Definitions(*Added*)

"Accessory Dwelling Unit (ADU)" A self-contained residential unit located on the same lot as a single-family dwelling. ADUs are secondary to the primary residence and may be attached to, detached from, or located within the primary structure.

"Campground " A campground is an outdoor recreational facility or area designed and equipped to accommodate temporary or short-term stays by individuals or groups in tents, RVs, or other types of temporary shelter. Campgrounds may offer amenities such as restroom facilities, fire pits, picnic tables, and recreational activities.

"Contact Person" The person designated by the owner or the manager, for the purpose of:

- A. Responding to complaints regarding the condition, operation, or conduct of occupants of the short-term rental; and
- B. Taking remedial action to resolve any such complaints.

"Glamping" Glamping, short for "glamorous camping," refers to a form of outdoor accommodation that combines elements of camping with luxury amenities and accommodations. It typically involves staying in upscale tents, yurts, cabins, or other stylish and comfortable structures equipped with modern conveniences such as electricity, plumbing, and furnishings.

"Internal Accessory Dwelling (IDU)" An internal accessory dwelling (IDU) refers to a secondary residential unit located within the primary structure of a single-family dwelling. It may include a basement apartment, attic conversion, or separate living space within the main house.

"Manager" The owner of the short-term rental unit or the owner’s authorized agent or representative.

"Multi Family Dwelling" A residential building or structure designed to accommodate more than one family or household. It consists of multiple dwelling units within the same building or complex, with each unit typically having its own entrance and living space.

"Owner" The person(s) or entity that holds legal and/or equitable title to a dwelling unit being operated, legally or not, as a short-term rental.

"RV Park" A designated area where individuals or families can park their recreational vehicles for a short-term stay.

"Short-Term Rental (STR)"

- A. A dwelling unit, or any portion thereof, being used for transient accommodation purposes, including but not limited to, RV parks, single-family dwellings, multiple-family dwellings, accessory dwelling units (ADUs), internal accessory dwelling units (IDUs), campgrounds, glamping units or any other dwelling unit for a period for 30 or less consecutive days; or
- B. A dwelling unit that:
1. Is listed on any accommodation website including but not limited to Airbnb, Vrbo, HomeAway, Trip Advisor, etc.;
 2. Has (or should have) an approved Vernal City business license and conditional use permit, if applicable, for a STR; or
 3. Pays (or should pay) applicable sales and use and transient room taxes for the STR, is hereby considered a short-term rental and shall be subject to the regulations set forth in this subchapter, even if the STR is rented out for a period longer than 30 days. (See Appendices ii and iii).

"Single Family Dwelling" A residential structure designed and intended for occupancy by one family or household. It typically consists of one dwelling unit that is not attached to any other residential structures.

"Transient" Occupancy of a dwelling unit for not more than 30 days.

SECTION 4: ADOPTION "Section 16.23.030 Operations" of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.23.030 Operations(*Added*)

- A. It is unlawful for any person to keep, conduct, operate, or maintain a STR within the City without obtaining a business license. A business license is required when an owner or manager is operating a STR as defined in the definitions section of this chapter and will follow Title 5, Business Licenses and Regulations, of the Vernal City Code. Short-term rentals shall be a permitted use in any zone where the dwelling unit operated as a typical dwelling unit has previously been approved.
- B. No dwelling in any zoning district shall be occupied or used as a short-term rental until the owner has obtained an approved:

1. Short-term rental inspections from the Planning and Development Department;
 2. Business license from Vernal City.
- C. Short-term rentals must have management which shall be available at all times to respond to complaints or issues related to the stay. A phone number for management must be posted within each rental unit and given to the City with the business license application. Management shall inform the City if the contact phone number is updated.
- D. The owner or manager of any short-term rental shall ensure occupants of the short-term rental do not:
1. Create noises that by reason of time, nature, intensity, or duration are out of character with noises customarily heard in the surrounding areas;
 2. Disturb the peace of surrounding properties by shouting, fighting, playing of loud music, racing of cars or recreational vehicles on streets or engaging in outside recreational or other activities after 10:00 p.m and before 8:00 a.m.;
 3. Interfere with the privacy of, or trespass onto surrounding properties; and
 4. Allow pets or animals to create incessant noise, roam the streets without an owner present, trespass on neighboring properties or create any type of mess that is not cleaned up by the owner of the pet or animal.
- E. The transient room tax shall be levied at the same time and collected in the same manner as provided in U.C.A., Title 59, Chapter 12, Part 2, Local Sales and Use Tax Act. As such, the Utah State Tax Commission shall collect and administer the tax imposed hereby. Violation or avoidance of payment of the tax imposed hereby shall subject the violator to penalties as provided in Title 5, Business Licenses and Regulations, of the Vernal City Code, as well as to any penalties fixed and administered by the Utah State Tax Commission pursuant to its statutory powers.

SECTION 5: **ADOPTION** “Section 16.23.040 Standard Requirements” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.23.040 Standard Requirements(*Added*)

- A. Each short-term rental shall comply and cooperate with any fire, land use, code enforcement, building, health, or other inspection conducted by municipal officials, with or without notice. Each short-term rental unit shall be inspected by the Fire Marshal or their representative each year prior to the renewal of the business license for the short-term rental.
- B. Each Short-Term Rental unit shall have at least one operable fire extinguisher.
 - 1. Trash shall not be left stored within public view, except in proper containers for the purpose of collection by an authorized waste hauler on scheduled trash collection days.
 - 2. Compliance to applicable IRC construction codes, zoning requirements, local and state health department requirements, any applicable fire code requirements and the requirements of any other applicable codes and/or ordinances adopted by the City.
- C. In accordance with chapter 16.26 of Vernal City Code the owner or manager of any short-term rental shall ensure appropriate off-street parking is provided for its occupants of the short-term rental in accordance with the following:
 - 1. Each STR unit must provide at least two (2) off-street parking stalls for the use of patrons per rental unit.
- D. Each short-term rental shall have the following information posted on durable, weather-proof material, in a conspicuous location outside and visible from the public right-of-way accessing any dwelling unit licensed as a short-term rental:
 - 1. The full street address of the property.
 - 2. A clear statement identifying the property as a short-term rental to be posted at all times the unit is being used as a short term rental.
- E. The following information shall be posted in a conspicuous location inside any dwelling unit licensed as a short-term rental:
 - 1. A copy of the short-term rental business license;
 - 2. The name and phone number of the owner, Contact Person or manager and local emergency contact information;
 - 3. The location of all fire extinguishers and emergency exits;
 - 4. A map showing property boundaries and parking spaces;
 - 5. The maximum occupancy of the dwelling unit (as determined by the owner or manager based on the design and furnishings of the home) and number of vehicles allowed and IBC/ IRC;
 - 6. Trash pick-up day, if applicable, and rules and regulations pertaining to leaving or storing trash on the exterior of the property; and
 - 7. A list of all conditions and regulations for the specific short-term rental or property, if applicable.

SECTION 6: **ADOPTION** “Section 16.23.050 Penalty And Appeal” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.23.050 Penalty And Appeal(*Added*)

- A. Any person who occupies a short-term rental as a guest and who violates any local ordinances 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 ordinances.
- B. It shall be a violation for any owner to operate an STR:
 - 1. Without first obtaining a valid business license for the STR; or
 - 2. That does not comply with the requirements of this Section.
- C. For any violation of this Section, the Code Enforcement Officer, or Business License Clerk may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
 - 1. For the first violation within any twelve (12) month period, the host shall be given a written warning.
 - 2. For a second violation within any twelve (12) month period, the penalty shall be a five hundred (\$500.00) dollar fine.
 - 3. For a third violation within any twelve (12) month period, the penalty shall be a seven hundred-fifty (\$750.00) dollar fine and the owner's STR permit and business license shall be revoked for a period of one (1) year.
- D. Any person who deems themselves aggrieved by a decision of the City staff under this Section may appeal from such decision by making written application for an appeal hearing before the Vernal City Appeals Officer. The notice of appeal shall be made within ten (10) days after notice of decision appealed from. The Appeals Officer shall grant a hearing, and after consideration of hte matter may uphold, modify, or reverse such decision.

PASSED AND ADOPTED BY THE VERNAL COUNCIL

August 21, 2024.

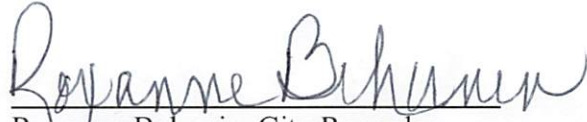
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Corey Foley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Ted Munford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Edward Long	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Randel Mills	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Presiding Officer



Doug Hammond, Mayor, Vernal

Attest



Roxanne Behunin, City Recorder,
Vernal

