

**ORDINANCE 2024-09**

**APPROVING SHORT TERM RENTALS**

**CHAPTER 12-102-24. Short-Term Rentals**

**12-102-24-1 Purpose.**

The purpose of this section is to accomplish the following:

- (1) To promote the public health, safety, and welfare by requiring short-term rentals to be safe and fit for human occupancy;
- (2) To provide contact information, through licensing, for each short-term rental to allow problems to be resolved expeditiously;
- (3) To provide consistency with licensing of all other businesses in the city by requiring licensing of short-term rentals;
- (4) To allow an existing residential dwelling to be used and occupied as a short-term rental while also maintaining its character and function as a dwelling; and
- (5) To minimize the impact of short-term rentals on adjacent properties, residential dwellings, and surrounding neighborhoods.

**12-102-24-2 Definitions.**

Short-Term Rental. Temporary lodging located in a residential dwelling for charge or fee and for a rental period of less than thirty (30) continuous days. A Short-Term Rental excludes hotels, motels, bed & breakfast establishments, and Accessory Dwelling Units.

**12-102-24-3. Requirements for Approval.**

- (1) No dwelling or structure shall be occupied or used as a Short-Term Rental within the corporate limits of Willard City without the owner having first obtained a conditional use permit, and Short-Term Rental business license from Willard City.
- (2) All Short-Term Rentals must obtain a conditional use permit. A conditional use permit may be granted by the Planning Commission for a Short-Term Rental, provided that the requirements of this section are met in addition to the requirements of Chapter 12-105.
- (3) The granting of a conditional use permit for a Short-Term Rental shall not exempt the owner and/or applicant from meeting other applicable ordinances, covenants, or law.
- (4) No Short-Term Rental may used by an individual for more than twenty-nine (29) consecutive days or for more than sixty (60) days within a three-hundred sixty-five (365) day period.

**12-102-24-4. License Application.** An application for a Short-Term Rental business license and conditional use permit shall conform to the requirements of the Willard City Code and shall also include the following information:

- (1) A detailed floor plan drawn to scale with labels on rooms indicating uses or proposed uses;
- (2) A copy of the Utah State tax license number for remittance of transient lodging taxes;
- (3) The name and contact information of the owner, and if applicable, the designated local contact, residing in the State of Utah, who is authorized by the owner for service of process.

**12-102-24-5. License Fee.**

- (1) The fee for a Short-Term Rental license shall be as set forth in the fee schedule adopted by the Willard City Council;
- (2) The business license shall be paid annually and shall be due and payable on or before the license expiration date of owner's application for a business license. A license shall be delinquent if paid after said date in the year for which it is due.

**12-102-24-6. Minimum Requirements**

- (1) All Short-Term Rental properties shall, at all times, have a designated local contact or property manager that resides within one (1) hour travel time of the property. The property owner shall provide the registered local contact person's contact information at the time of submission of their application. The local contact shall be available twenty-four (24) hours per day to respond to questions or concerns.
- (2) Upon receipt of a notification regarding a complaint, the designated local contact shall contact the occupant of the Short-Term Rental and resolve the issue giving rise to the complaint. The designated local contact shall have sixty (60) minutes from the time of notification of a complaint to resolve the problem giving rise to the complaint. Failure to resolve the problem within sixty (60) minutes shall constitute a violation of this code unless the designated local contact can demonstrate that they contacted the occupant of the Short-Term Rental within sixty (60) minutes and attempted to resolve the problem but were unable to do so. In that event, the designated local contact shall visit the Short-Term Rental property to address the problem and resolve the complaint if reasonably possible within sixty (60) minutes thereafter.
- (3) Failure to resolve any complaints as required in this Section, may be a violation of this Chapter and may be cause for the issuance of enforcement action, criminal penalties, administrative fines, and potential termination of business licensing. The

City may take enforcement action against a Short-Term Rental for any violation of this Section separately from and in addition to any enforcement action taken to address the violation underlying the complaint, if any.

- (4) The Short-Term Rental floor plan and principal function shall remain as a residential dwelling to be used for its main purpose when not used as a Short-Term Rental.
- (5) Each Short-Term Rental unit shall meet the zoning, building code requirements for installation, maintenance, and operation in effect at the time the Short-Term Rental unit was legally permitted.
- (6) Each sleeping room must meet current international code requirements for egress and be equipped with smoke and carbon monoxide detectors. A fire exiting plan and maximum occupancy number must be posted in each sleeping room.
- (7) Each Short-Term Rental shall comply with the noise ordinance of the Willard City Code. Quiet hours shall be established, posted, and enforced for the Short-Term Rental which shall be between the hours of eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m.
- (8) The Short-Term Rental owner and designated local contact, upon notification that the Short-Term Rental occupants and/or their guests have created unreasonable noise or disturbances or violated any provision of the Willard City Municipal Code pertaining to noise or disorderly conduct, will promptly act within sixty (60) minutes to prevent continuation and/or reoccurrence of such conduct by those Short-Term Rental occupants and/or their guests.
- (9) No later than ten (10) days following the issuance of a Short-Term Rental license, the property owner shall disseminate the designated local contact information, a copy of the conditional use permit, and a copy of the Short-Term Rental license to all properties located within a three hundred (300) foot radius of the Short-Term Rental. The property owner shall also mail the same information to each property owner of record as listed with the Box Elder County Recorder's office within the three hundred (300) foot radius. Proof of mailing and a copy of the information sent to residents and adjoining property owners shall be provided to the Willard City Recorder within fourteen (14) days of mailing.

**12-102-24-7. Parking Regulations.**

- (1) The owner of any property licensed as a Short-Term Rental shall provide off street parking for their guests in accordance with the following:
  - a. Off street parking shall be provided on the same lot as the dwelling which is licensed as a Short-Term Rental.
  - b. Parking shall be provided at one (1) vehicle per bedroom. Tandem spaces on a driveway may be used. The number of vehicles allowed by occupants of the

Short-Term Rental shall be restricted to the number of off-street parking spaces provided by the owner.

**12-102-24-8. License Renewal.**

- (1) The owner of a Short-Term Rental shall include with their renewal application evidence that minimum Utah State Sales Tax and Transient Taxes were submitted for the prior year.
- (2) Failure to renew the business license within thirty (30) days of the license expiration date may result in revocation of the Short-Term Rental license and subject the property to the license limitations or forfeiture as outlined in Willard City Code.

**12-102-24-9. Business License Not Transferable.** A business license for a Short-Term Rental is not transferable. Any owner holding a license shall give written notice within thirty (30) days to the City Recorder after having transferred or otherwise disposed of legal or equitable control of any Short-Term Rental. Such notice of transferred interest shall include the name, address, and information regarding the person(s) or entity succeeding to the ownership or control thereof. The new owner shall obtain a Short-Term Rental license within thirty (30) days of the date of purchase and as required by this Chapter.

**12-102-24-10. Required Posting.** The following information must be posted in a clear, concise, and unambiguous manner in a conspicuous location inside all Short-Term Rentals:

- (1) A copy of the Short-Term Rental license.
- (2) The name, address, and phone number of the owner/property manager.
- (3) Emergency exit plan and the location of all fire extinguishers.
- (4) A list of all rules applicable to Short-Term Rentals.
- (5) The maximum occupancy of the Short-Term Rental, the maximum number of vehicles allowed, and the location of parking stalls.

**12-102-24-11. Inspections.**

- (1) The City or authorized agency shall conduct a safety inspection of the Short-Term Rental at the time of application for the initial Short-Term Rental license. Short-term Rental license renewals will not automatically require subsequent re-inspections unless the City Planner, in their discretion, determines a renewal inspection is necessary.
- (2) The City or other authorized agency shall be permitted to inspect any Short-Term Rental unit to enforce any part of this title or any other applicable statute or ordinance

if the Short-Term Rental unit has a recorded and valid complaint. Complaints may be submitted by any person including a Willard City employee.

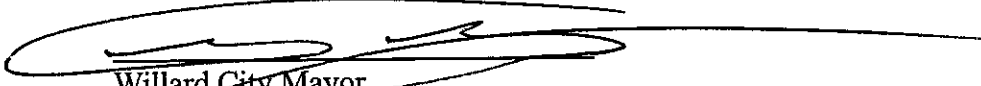
- (3) No owner, occupant, or any other person having charge, care, or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to properly permit entry therein by the business license official or their designee for the purpose of inspection and examination to ensure compliance with this title. If the property owner or other responsible person refuses to allow an inspection, the business license official or their designee may obtain and execute an administrative search warrant.

**12-102-23-12. Penalties.**

- (1) Violation of any of the provisions of this Chapter may be punishable by a Class B misdemeanor upon conviction and subject to a \$750.00 fine.
- (2) Any Short-Term Rental that fails to comply with any duty imposed under this chapter may face suspension, denial, or revocation of a Short-Term Rental License and/or business license.

**12-102-23-13. Appeals.** The owner of a Short-Term Rental shall have the right to appeal by filing a written notice of appeal within 15 days of the receipt of the notice of denial, suspension, revocation of a Short-Term Rental and/or business licenses to the Hearing Officer of Willard City.

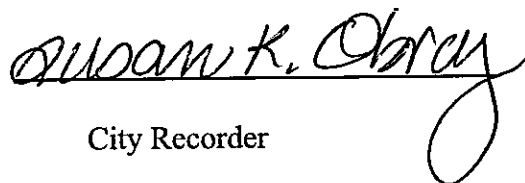
PASSED AND APPROVED by the Willard City Council on this 8th day of August 2024.

  
Willard City Mayor

Voting:

Bodily Yes X Nay \_\_\_\_\_  
Mund Yes X Nay \_\_\_\_\_  
Braegger Yes X Nay \_\_\_\_\_  
Christensen Yes X Nay \_\_\_\_\_  
Hulsey Yes X Nay \_\_\_\_\_

ATTEST:

  
City Recorder