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Approved by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.010 Purpose

The purpose of this chapter is to provide a fair process for the licensing and administration of Short Term Rental Licenses in Heber City.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

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. Owner Occupied means a dwelling in which the property owner, whether an individual, couple, or principle of an LLC or Trust, as listed on the County records, currently and permanently resides for no less than 6 months of the year.

C. Short Term Rental means Short-term Rental. The rental of any single family residential dwelling, or any portion thereof, for a period of less than 30 days to a single entity or person.

D. Room Rental means the short-term rental of a portion of a single residential dwelling that is owner occupied.

E. Home Rental means the short-term rental of an entire dwelling that is owner occupied.

F. Vacation Rental means the short-term rental of an entire dwelling that is not owner occupied.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.030 Licenses Required

It is unlawful to engage in a Short Term Rental business without first receiving a Business License from the City. All Short Term Rental Licenses shall comply with the following:

A. Rental owners shall be onsite or be managed by a rental manager located within 10 miles of the rental property. Contact information for said rental managers shall be on file with the City and the Heber City Police Department.

B. Rentals are subject to passing an inspection by the following:

1. Wasatch County Health Department
2. Wasatch County Fire District

C. Heber City and its departments maintain the right to inspect any Short-Term Rental for the purpose of determining compliance with State, Local, Health, and Safety codes, upon the City's request.

D. Modifications to buildings that include, but are not limited to, remodels, basement finishes, pools, and accessory buildings, require a building permit.

E. Exterior signs associated with rentals are prohibited.

F. The following shall be posted inside the dwelling:

1. Heber City Business License
2. Fire and Health Department certifications
3. Rental Manager Contact information
4. Occupancy limit
5. Parking plan
6. Summary of Quiet Hours and Noise Restrictions as outlined in Section 9.22.020.

G. Commercial activities are prohibited.

H. Recreational Vehicles, Campers, or other travel trailers are prohibited.

I. Tents or other temporary structures intended sleeping are prohibited.

J. Room Rental. Room Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. Room Rentals are limited to no more than one reservation at a single time.
2. Room Rentals are limited to no more than two bedrooms in the dwelling.
3. Property owners shall be present during the hours of 10 PM – 7 AM for the entirety of the reservation period.
4. Lodgers shall be limited to no more than one vehicle.
5. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.
6. Owner Occupied Accessory Apartments are considered a Room Rental and shall comply with these provisions. Occupancy of the apartment is as permitted in Section 18.108.110.

K. Home Rental. Home Rentals are permitted in any single family detached residential dwelling so long as the follow provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall not exceed that of a Family as defined in Section 18.08.200, or 8 individuals, whichever is more.
2. Lodgers shall not park on the street. All cars shall be located in a garage, driveway, or permitted parking area.
3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.

L. Vacation Rental. Vacation Rentals are permitted in any single family detached residential dwelling so long as the following provisions have been met.

1. The entire dwelling shall be rented with a single reservation. Occupancy shall be limited to 1 lodger per 200 square feet, not to exceed 12 lodgers.
2. Lodgers shall not park on the street. Garages shall be clear and available to patrons for parking. All cars shall be located in a garage, driveway, or permitted parking area.
3. Lodgers shall be limited to no more than 4 cars, based upon off street parking availability.
4. The following shall be posted on the exterior of the property:
 - a. Property Manager name, phone number, address, and email address
 - b. Business License number

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2022-01](#) on 2/1/2022

5.26.040 Application Form

The Licensing Officer shall provide a standard Application Form for Short Term Rental Licenses. Each Application Form shall require the following information, documentation, and fee:

A. Review of Written Disclosures. An affirmation that the Applicant has received and reviewed the disclosure information required by this Chapter.

B. Contact Information. 1. Applicant's name, telephone number, home address, mailing address, and email address. 2. Applicant's business name, telephone number, business address, mailing address, and email address.

C. Proof of Identity. An in-person verification by the Licensing Officer of the Applicant's true identity by use of any of the following which bear a photograph of said Applicant: 1. A valid driver's license issued by any State; 2. A valid passport issued by the United States; 3. A valid identification card issued by any State; and 4. A valid identification issued by a branch of the United States military. Upon verification of identity, the original identification submitted to establish Proof of Identity shall be returned to the Applicant.

D. Rental Manager Information

1. Manager name
2. Managing company name
3. Manager contact address, phone number, and email

E. Proof of Registration with Department of Commerce. The Applicant shall provide proof that either the Applicant, or the Responsible Person or Entity, has registered with the Utah State Department of Commerce. F. Properties list. A list of all Short-Term Rental properties owned and/or operated by the business, including address and parcel id number.

F. Site and Floor Plans. A site plan and floorplan including the following shall be required for each property listed under the license. 1. Layout of property 2. Designated parking areas. 3. Floor plan of building with area in square feet that will be used for short-term rentals.

G. Fee. The Applicant shall pay such fees as determined applicable by the City, which shall not exceed the reasonable cost of processing the application and issuing the Certificate and/or Identification Badge. Refer to the Consolidated Fee Schedule for current fees.

H. Execution of Application. The Applicant shall execute the Application Form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the Applicant, the information provided is complete, truthful and accurate.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

Amended by Ord. [2023-45](#) on 12/19/2023

5.26.045 REPEALED Notice Of S T Rental Restriction

~~A. If the City receives a Notice of Short Term Rental Restriction Form from a Homeowner Association that notifies the City that the CC&Rs controlling the area within the Homeowner Association prohibit short term rentals, the City shall not issue a business license for any short term rentals within that Homeowner Association. The notice from the Homeowner Association shall include the following:~~

- ~~1. A map showing the location of the properties within the Homeowner Association and parcel numbers for each property within the HOA.~~
- ~~2. A certificate showing the Homeowner Association is registered with the Utah Department of Commerce.~~
- ~~3. A copy of the CC&R's showing that short term rentals are prohibited within the Homeowner Association.~~
- ~~4. A verified statement from the person signing the Notice of Short Term Rental Restriction Form that the Notice of Short Term Rental Restriction Form has been approved by the Homeowner Association and that the person signing the Notice of Short Term Rental Restriction Form has legal authority to execute the Notice of Short Term Rental Restriction Form on behalf of the Homeowner Association.~~
- ~~5. The name, phone number, address and email of the person signing the Notice of Short Term Rental Restriction Form.~~

~~B. If the City receives a complete Notice of Short Term Rental Restriction Form that includes a property that has previously been issued a business license for a short term rental, the City shall notify any person or entity with a business license for a short term rental within the HOA that the City has received a Notice of Short Term Rental Restriction Form and that their business license will be revoked one hundred and twenty (120) days after the date of the notice from the City.~~

HISTORY

Amended by Ord. [2023-45](#) on 12/19/2023

Amended by Ord. [2024-05](#) on 2/6/2024

5.26.050 Maintenance Of Registry.

All Short Term Rentals shall maintain a register of lodgers and individual bookings. This register shall be available to the City or Police Department upon written request.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.060 Non-Transferability

Short Term Rental Licenses are non-transferable between property owners or business owners. Upon the change of business or property ownership, a new license will be required.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.070 No Property Rights Conferred

Short Term Rental Licenses shall not be construed as providing property right or vested interests and entitlements in continued operation of a Short Term Rental. Short Term Rental Licenses are revocable licenses which expire annually. Short Term Rental Licenses shall not run with the land.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

5.26.080 Denial, Suspension Or Revocation

A. Denial. The City shall deny a Short Term Rental application for the following reasons:

1. The application is not complete or does not comply with the requirements of this chapter.
2. The property is in violation of provisions of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code.
3. The applicant has any licenses that are currently suspended or revoked.

B. Suspension or Revocation. The City may either suspend or revoke a Short Term Rental License when any of the reasons warranting the denial of an application occurs. The process for suspension and revocation are as follows:

1. Suspension. Short Term Rental Licenses will be suspended upon the second instance of violation of this chapter, or any other Title, Chapter, or Section of the Heber City Municipal Code, or failure to resolve any violation within the required time period. Suspensions shall be a minimum of 3 months or until the violation is resolved, whichever is greater, but not to exceed 6 months.
2. Revocation. Short Term Rental Licenses will be revoked upon the third instance of violation of this chapter or any other Title, Chapter, or Section of the Heber City Municipal Code, or upon failure to resolve any violation during the suspension period, notwithstanding the number of instances of the violation. Revoked Short Term Rental Licenses will become null and void and require a new application. Applicant's with a revoked license may not apply for a new business license for a period of 6 months following the revocation of their license or until the violation has been resolved, whichever is greater.

C. Notice of Denial, Suspension, or Revocation. Upon determination of the Licensing Officer to deny an Applicant's Completed Application, suspend a current Short Term Rental License, or revoke a current Short Term Rental License, the City shall cause written notice to be sent to the Applicant or Registered Manager by the method indicated in the Completed Application. The Notice shall specify the grounds for the denial, suspension, or revocation, and the documentation or information the City relied on to make the decision.

HISTORY

Adopted by Ord. [2019-26](#) Adopting Short Term Rentals on 9/15/2020

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	and/or (2) does not have a HUD placard physically attached to it indicating that it does not meet the HUD standards and cannot be accepted as compliant with the HUD code; and/or (3) is determined by the Building Inspector to be unsafe for habitation shall be permitted to be placed within Price City. ⁹			
11.3.2.1.3.1.05	Emergency shelters and bunkers; in-ground or above ground. All construction types. Only allowed as accessory to main structure. Engineering required ¹⁰ .	C	C	C
11.3.2.1.3.1.5 ¹¹	<p>Short term temporary residential rentals (Air BNB)</p> <p>1. Requires Price City business license, registration with the State of Utah and payment of all applicable sales and lodging taxes.</p> <p>2. Must mitigate area lighting, on-street parking, garbage collection and other site based impacts.</p> <p>3. Short term rental not to exceed ten (10) days in total per transient occupant or twenty (20) days total per month. 20 day restriction shall be for residential structures not commercial structures (house in the commercial zone vs. a building use for short term rentals).</p> <p>4. No signage allowed in residential structures, per the Code for commercial structures.</p> <p>5. Annual building and fire safety inspections of structure and property required.</p> <p>6. Maximum transient occupancy of structure not to exceed that set by the fire and safety inspection.</p> <p>8. Must be located greater than six-hundred fifty (650) feet from any other existing permitted short term rental location.</p> <p>10. No Price City imposed restriction prohibiting the listing or offering of the rental on a website.¹²</p>	C	-	-
11.3.2.1.3.1.5	"Tiny" Homes. Restricted in all zone districts. May be permitted in mobile home parks or PUD's upon conditional approval (as required in this Code) of the PUD. All tiny homes must be constructed and placed using a building permit. ¹³	-	-	-
11.3.2.1.3.1.5	Distributed Generation. Solar or small wind electric generators placed on residential structures. Must be installed such that the energy generated is received on the utility side of the meter and	ADM	ADM	ADM

⁹ Added clarifying language regarding pre 1976 mobile homes 2023.

¹⁰ January 2018 Update

¹¹ January 2018 update.

¹² Amended requirement 3, 4, 6 for relevance in regard to a commercial structure instead of a residential structure in the commercial zone, 2023.

¹³ January 2017 update.

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	in a feed-in-tariff manner, not the customer side of the meter. Requires meter, inverter, controls, and other equipment as may be required by Price City.			
11.3.2.1.3.1.5.5 ¹⁴	Energy Storage equipment and facilities: Tesla Wall; battery banks, etc. Requires building permit also.	ADM	ADM	ADM
11.3.2.1.4	Religious quarters	C	-	-
11.3.2.1.5	Large Residential Facility (Group homes) for the disabled, elderly and youth rehabilitation, provided they are separated at least 1,260 feet from another similar facility and 500ft from any tobacco, alcohol sales or sexually oriented business land use. Subject to Chapter 8 requirements. Public Hearing Required. Applicant to pay publication costs. ¹⁵ Written notification to be made to all property owners within 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	-	-	-
11.3.2.1.5.5	Small Residential facility (Group Homes) for the disabled, elderly and youth rehabilitation, provided they are separated at least 1,260 feet from another similar facility and 500ft from any tobacco, alcohol sales or sexually oriented business land use. Subject to Chapter 8 requirements. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	-	-	-
11.3.2.1.5.6	Adult Daycare Facility	C	-	-
11.3.2.1.5.7	Assisted Living Facility	C	-	-
11.3.2.1.5.8	Boarding House. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	-	-
11.3.2.1.5.9	Non-Residential Treatment Facility	C	-	-
11.3.2.1.5.10	Protective Housing Facility. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	-	-

¹⁴ January 2017 update.¹⁵ Public Hearings for group homes, boarding house, treatment facility, protective housing, shelter for homeless added 2016

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.3.1.5.5	Temporary Uses. Temporary uses, permitted or conditional, associated with another use at a site or not, must not exceed fourteen (14) days with a minimum period of thirty (30) days between temporary periods.	ADM Or C	ADM Or C	ADM Or C	ADM Or C	ADM Or C	ADM Or C
10.3.1.5.5.5 ⁹	Short term temporary residential rentals (Air BNB).	C	C	C	C	-	-
	<p>1. Requires Price City business license, registration with the State of Utah and payment of all applicable sales and lodging taxes.</p> <p>2. Must mitigate area lighting, on-street parking, garbage collection and other site based impacts.</p> <p>3. Short term rental not to exceed ten (10) days in total per transient occupant or twenty (20) days total per month.</p> <p>4. No signage allowed.</p> <p>5. Annual building and fire safety inspections of structure and property required.</p> <p>6. Maximum transient occupancy of structure not to exceed that set by the fire and safety inspection. Must not exceed IBC Residential Group R-3 maximum of 10 or fewer occupants and 5 or fewer guest rooms.</p> <p>8. Must be located greater than six-hundred fifty (650) feet from any other existing permitted short term rental location.</p> <p>10. No Price City imposed restriction prohibiting the listing or offering of the rental on a website.</p> <p>11. No Price City imposed restriction on short-term rental if the owner of the property occupies the property also.¹⁰</p> <p>12. Price City shall not utilize tax revenue to rent a short-term rental for the purpose of prohibiting the use of the short-term rental.¹¹</p>						
10.3.1.6	Distributed Generation. Residential sized wind electricity generators, commonly referred to as small wind or micro wind and solar electricity generation installations. Must be installed such that the energy generated is received on the utility side of the meter in a feed-in-tariff manner, not the residential side of the meter. Requires meter,	ADM	ADM	ADM	ADM	ADM	ADM

⁹ January 2018 update; HB 253, 2017.¹⁰ Per SB221, 2021, 2022 Update Cycle¹¹ Per SB221, 2021, 2022 Update Cycle