

## ORDINANCE 2026-4

**AN ORDINANCE OF ORANGEVILLE CITY AMENDING SECTIONS 11-11-27.1, PURPOSE, RULES AND REGULATIONS FOR SHORT-TERM RENTALS, AMEND SECTION 11-11-27.3(7), PERMITS, INSPECTIONS, LICENSES REQUIRED AND ADD 11-11-27.6, SHORT-TERM RENTAL EXEMPTIONS, TO SHORT-TERM RENTAL REGULATIONS IN THE ORANGEVILLE CITY CODE.**

**WHEREAS**, Pursuant to Utah Code Title 10 (Municipal Land Use, Development, and Management Act), the Orangeville City Council is authorized to regulate land uses, business licensing, public safety, and community welfare; and

**WHEREAS**, the Orangeville City Council desires to clarify and update regulations governing short-term rentals to protect neighborhood character, preserve long-term housing availability, ensure public safety, and establish clear licensing and enforcement standards; and

**WHEREAS**, the Orangeville City Council desires to establish clear operation standard for short-term rentals, protect residential neighborhoods from adverse impacts, and ensure compliance with state and local regulations.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of Orangeville City, Utah, as follows in Exhibit A and Exhibit B:

Short Term Vacation Rentals, subject to the provisions of section 11-11-27 of this title

1. Section 11-11-27 is hereby repealed and Amended in its entirety with the revised Section 11-11-27 attached hereto as **Exhibit A**.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED by the City Council on this 14th day of **May 2026**.

ATTEST:

\_\_\_\_\_  
Amanda Lake- City Recorder

\_\_\_\_\_  
Shaun Bell- Mayor

# **Exhibit A**

Short Term Vacation Rentals, subject to the provisions of section 11-11-27.

## 1. SECTION 11-11-27: SHORT TERM VACATION RENTALS.

### **SECTION 11-11-27-1: PURPOSE, RULES, AND REGULATIONS**

The following regulations shall govern any short-term vacation rentals and set minimal standards for their establishment and operation in residential areas. A short-term vacation rental may be permitted through a conditional use permit and shall be compatible with surrounding uses to avoid any depreciation of surrounding property values or any decrease in the quality of life to permanent residents within the affected zone. The physical appearance, traffic and other activities in connection with short term vacation rental businesses shall not be contrary to the intent of the zone wherein located. To avoid depreciation of surrounding property values, there is established a land-distance separation requirement between short term vacation rentals and their respective adjacent property owners of no less than 2,640 feet or .50 mile with the intent to maintain the overall residential character of neighborhoods and to promote safe locations and distances for residential use within residential zones. The land distance separation shall be calculated by the shortest distance between the closest property boundaries of each short-term rental property address and measured by a straight line.

### **11-11-27.2: DEFINITIONS**

“Applicant” is the owner or responsible party who desires to operate and maintain a short-term vacation rental of any dwelling unit

“Responsible party” is the owner or person delegated by the owner of any dwelling unit used as a short-term vacation rental who is responsible for compliance with this section.

“Short Term Vacation Rental” is a dwelling unit or public lodging facility that may be occupied, rented, leased, loaned, letted, or otherwise hired out to temporary residents as public guests, including outdoor enthusiasts, temporary workers, and tourists, for a period of less than 30 consecutive days. A short-term vacation rental may be a detached single-family dwelling unit, or an alternative housing type as permitted as a conditional use by the planning and zoning commission, excluding any portable recreational vehicle, travel trailer, camper, or tent.

### **11-11-27.3: PERMITS, INSPECTIONS, LICENSES REQUIRED**

A. Permissions Required: The applicant who desires to operate and maintain a short term vacation rental of any dwelling unit in zones

RR-1-Rural Residential, R-2-8000 Residential, R-4-8000 Residential, R-1-MHP Manufactured Home Park, or C-1 Retail Commercial within the City of Orangeville shall present the following to the planning and zoning commission for approval of a conditional use permit:

1. written proof of the initial zoning clearance from the Zoning Administrator;
2. written proof of a passed inspection as certified by the local health department, including a food handler permit if applicable;
3. a completed application for a conditional use permit with proof of fee payment;
4. a completed application for a business license with a valid Utah State Tax Identification number;
5. signed certificate from the Orangeville City Fire Chief or designee, identifying designated escape routes from the dwelling unit, life safety equipment in place, and notification of the maximum occupancy of public guests;
6. proof of insurance on the dwelling unit; and
7. proof that the applicant distributed written notice by mail or hand-delivery to any property within 2,640 feet (.50 mile) of the dwelling unit to be used as a short-term vacation rental.

B. Initial Zoning Clearance: The zoning administrator shall conduct an inspection of the applicant's proposed short term rental vacation dwelling unit, complete the Short Term Rental Checklist prepared by the planning and zoning commission, and instruct the applicant of the regulations that govern short term vacation rentals before other permitting procedures may be completed.

C. Health Department: The Southeast Utah Health Department shall conduct an inspection of any Short Term Vacation Rental as authorized pursuant to Utah Code, Title 26, Chapters 1 and 15, to determine if the public lodging facility meets the requirements set for health and welfare of guests, sanitation, and prevention of the spread of disease.

1. The applicant shall pay the nonrefundable fees for a Public Lodging Facility Permit to the department at the time of application as provided in the department's health regulations and may include follow-up inspection fees and late fees.
2. The applicant may be required to obtain a food handler's permit if the applicant intends to serve food in the public lodging facility that has more than six (6) available bedrooms and the number of guests served exceeds eighteen (18).
3. The applicant shall obtain a food handler's permit and provide proof that it is current and covers each individual who will handle food as required pursuant to Utah Code § 26-15-5.
4. Nothing in this section shall be construed to affect the rights and duties established under Title 57, Chapter 22, Utah Fit Premises Act, or to restrict a municipality's ability to enforce its generally applicable health ordinances or building code, a local health department's authority under

Title 26A, Chapter 1, Local Health Departments, or the Utah Department of Health's authority under Title 26, Utah Health Code.

D. Conditional Use Permit: The applicant shall complete and submit an application with the Zoning Administrator on a form prepared by the planning and zoning commission for a Conditional Use Permit. The applicant shall pay \$150.00 as a one-time fee as long as the short-term vacation rental remains in operation. The application shall include:

5. a valid Utah State Tax identification number for remittance of transient lodging taxes; and
6. the address of the dwelling unit, the name, address and phone number of the owner, and the name, address, and phone number of any person designated by the owner as the responsible party to manage and maintain the dwelling unit.

Business License: The applicant shall comply with the requirements of Orangeville City Code 4-6-1 to obtain a business license and pay the license fee annually to operate and maintain a short-term vacation rental and provide a Utah State Tax Identification number for purposes of paying transient room taxes as authorized by Utah Code.

E. Fire Inspection Certification: The Orangeville City Fire Chief or designee shall inspect the dwelling unit prior to operation of the short-term vacation rental to determine and certify the presence of:

1. escape routes from the dwelling;
2. emergency or safety equipment, including operational smoke detectors, carbon monoxide detectors, and fire extinguishers; and
3. the legal limit on public guests as determined by the size of the dwelling unit.

F. Proof of Insurance. The applicant shall provide proof of short-term vacation rental insurance that includes comprehensive rental property coverage for damages and liability coverage for guests.

G. Proof of Notice to Adjacent Residents. The applicant shall provide proof of notification that was mailed or hand-delivered to any resident and property owner of property located within 2,640 feet (.50 mile) from the short-term vacation rental. The notice shall include applicant's intent to operate a short-term vacation rental, the address of the proposed use, and information that

property owners may express any concerns to the planning and zoning commission regarding the operation of a short- term vacation rental. The notice shall be provided within seven (7) days of the application hearing before the planning and zoning commission.

#### H. Requirements for Operation and Maintenance.

1. The owner or responsible party of a short- term vacation rental shall conform to the following standards:
  - a. off street parking shall be provided for all vehicles on the same lot belonging to the dwelling unit;
  - b. tandem parking spaces on the driveway of the dwelling unit may be used;
  - c. off street parking shall not be permitted in the space between the living area of the dwelling unit and the street except in circular driveway on the property;
  - d. any portable recreational vehicle, travel trailer, camper, or tent shall not be parked or placed on the lot and used as extra sleeping areas;
  - e. signage shall be limited to one accessory sign not to exceed two (2) square feet in size unless a larger sign is approved.;
  - f. exterior lighting shall be downcast and shielded to avoid shining directly into adjoining properties but may be used to illuminate signage, pathways, driveways, parking areas, outdoor areas, or entryways;
  - g. maximum occupancy shall not be exceeded;
  - h. any advertisement of a short-term vacation rental shall include the current Orangeville City business license number;
  - i. trash and refuse shall not be stored within public view except in proper containers for purposes of collection by an authorized waste hauler with additional containers made available by Orangeville City upon request;
  - j. the owner or responsible party shall be required to collect and remit transient lodging taxes on a quarterly basis; and
  - k. the owner or responsible party shall not rent a short- term vacation rental in a manner that requires or encourages a person to sleep in a rental in a manner that requires or encourages a person to sleep in an area other than a bedroom.
  
2. The short-term vacation rental guests shall conform to the following standards which shall be posted in the dwelling unit:
  - l. There shall be no noises that are out of character with noises customarily heard in the surrounding residential area or that disturb the peace of the surrounding residential property. Quiet time is considered between 10:00 p.m. – 7:00 a.m. on Sundays through Thursdays and 11:00 p.m. – 7:00 a.m. on Fridays and Saturdays.
  - m. There shall be no interference with the privacy of surrounding residents.
  - n. There shall be no trespass into the surrounding residential property.

- o. There shall be no disorderly or illegal conduct, including illegal consumption of drugs or alcohol.
  - p. There shall be no exceeding of the maximum occupancy as determined by the Orangeville City Fire Chief.
  - q. There shall be no violation of the Orangeville City Animal Control Ordinance of Title 6, Chapter 1.
  
- 3. The responsible party shall maintain the premises and ensure compliance with the provisions of this Code or any other applicable law, rule, or regulation of the use and occupancy of a short-term vacation rental. Despite the designation of a responsible party by the owner, the owner shall also be responsible for noncompliance with the provisions of this section, or any other applicable law, rule, or regulation pertaining to the use and occupancy of a short-term vacation rental. A responsible party or owner shall be at least twenty-one (21) years old and shall:
  - a. be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within sixty (60) minutes to complaints regarding the condition of the short-term vacation rental or the conduct of the occupant of the short-term vacation rental or their guests;
  - b. obtain and maintain in their records the name, address, and contact number of each current occupant of a short-term vacation rental;
  - c. provide the information required in subsection (2)(b) the city at the city's request;
  - d. promptly respond in an appropriate manner within sixty (60) minutes upon notification that any occupant or public guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule, or regulation pertaining to the use and occupancy of a short-term vacation rental;
  - e. require an immediate halt to the conduct as provided in subsection (2)(d); and
  - f. post on or near the front door of the dwelling unit a notice which includes Orangeville City business license number, the address of the rental, emergency contact numbers, a diagram showing emergency exit routes, and the lawful number of public guests.

**11-11-27.4: ENFORCEMENT PROVISIONS:**

A. Any owner or responsible party of any dwelling unit in a residential zone within Orangeville City, who fails to obtain a conditional use permit and business license for use or occupation of said dwelling as a short term vacation rental, or if permitted and licensed, operates or permits its operation in violation of the terms and provisions of this section shall be guilty of an infraction and subject to fines or penalties pursuant to city code.

- 1. Violation of any provision of this section regulating short term vacation rentals shall constitute a separate offense for each day said violation occurs or continues.
- 2. In the event of three (3) or more violations of this section committed at the

same short term vacation rental within any twelve (12) month period, the City Council may, depending on the nature or extent of the violations, proceed with revocation of the business license for that owner's short term vacation rental.

3. In the event the owner or responsible party fails to comply with Section 4-1-6 for payment of the annual license fee, the city may revoke the business license and require the owner or responsible party to reapply for permissions to operate a short term vacation rental pursuant to Section 11-11-27.3 (A) through (H).

#### **11-11-27.5: APPEAL RIGHTS:**

- A. The applicant, a board or officer of the municipality, or an adversely affected party may petition to appeal the decision that administered or interpreted the Short Term Vacation Rental provisions of Section 11-11-27 et seq., pursuant to Section 11-4C-4 by written request within thirty (30) days from the date of the contested decision.
- B. Upon receiving the petitioner's request for hearing pursuant to Section 11-4C-8, the appeal authority or the Board of Adjustment shall review the request and set the matter for hearing with timely notice at least fourteen (14) days prior to the date of hearing. The petitioner may appear at the hearing in person, by agent, or through petitioner's attorney. The burden of proof is on the petitioner.
- C. The appeal authority or Board of Adjustment shall render a final decision to either affirm, reverse, or modify the decision with written findings of fact and conclusions of law, determining if an error was made.
- D. The person adversely affected by the decision of the appeal authority or Board of Adjustment may petition the district court for a review of the decision pursuant to Utah Code § 10-9a-801.

#### **11-11-27.6: SHORT-TERM RENTAL EXEMPTIONS:**

A. Short-Term Rentals that are located inside a primary residence are exempt from the land distance separation requirements.

#### **Voting:**

Council member McKee voting \_\_\_\_

Council member Alton voting \_\_\_\_

Council member Butler voting \_\_\_\_

Council member McQuivey voting \_\_\_\_

Council member Stilson voting \_\_\_\_