

**CITY OF OAKLEY ORDINANCE NO. 2026-XX**

**AN ORDINANCE REPEALING AND REENACTING OAKLEY CITY CODE  
CHAPTER 13-9-20 REGARDING THE REGULATION AND REGISTRATION OF  
SHORT-TERM RENTAL UNITS**

**RECITALS**

**WHEREAS**, the City Council of Oakley (“the City”) has authority to amend its code through ordinance as provided in Utah Code § 10-3-701; and

**WHEREAS**, the City Council has the authority to promote the health, safety, and general welfare of its residents; and

**WHEREAS**, the City Council has the authority to regulate short-term rentals as provided in Utah Code § 10-8-85.4; and

**WHEREAS**, the City Council finds that the recommended revisions to Oakley City Code are necessary to provide for public safety, availability of the workforce housing, and the regulation of short-term rentals to limit the impacts on existing neighborhoods; and

**WHEREAS**, the Oakley City Planning Commission held a public hearing on \_\_\_\_\_ as required by law and recommended adoption of the following ordinance by the City Council.

**NOW, THEREFORE**, the City Council of Oakley repeals and reenacts Chapter 13-9-20 Temporary Homes, Tiny Homes, Tourist Homes, and Nightly Rentals to read as Short-Term Rental Regulation and Registration attached as **Exhibit A**.

1. Adoption. The Oakley City Code Chapter 13-9-20 is repealed and reenacted and adopted by the City.
2. Savings Clause. In the event one or more of the provisions of this ordinance is, for any reason, held to be unenforceable or invalid in any respect under applicable laws, such unenforceability or invalidity shall not affect any other provision; and in such an event, this ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.
3. Direction to Mayor and Staff: The Mayor and staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance

and map to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

4. Effective Date. This ordinance shall take effect immediately upon its posting.

[execution on following page]

**ADOPTED AND APPROVED** at a duly called meeting of the Oakley City Council on this \_\_\_\_ day of June, 2026.

CITY OF OAKLEY

\_\_\_\_\_  
By: Steve Wilmoth, Mayor

ATTEST:

\_\_\_\_\_  
Amy Rydalch  
City Recorder

City Council Vote as Recorded:

|                        |       |
|------------------------|-------|
| Council Member Dillman | _____ |
| Council Member Frazier | _____ |
| Council Member Neff    | _____ |
| Council Member Regan   | _____ |
| Council Member Smart   | _____ |

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711:

Effective date of ordinance: \_\_\_\_\_

\_\_\_\_\_

**SUMMARY OF  
CITY OF OAKLEY  
ORDINANCE NO. 2026-xx**

On June \_\_\_\_, the Oakley Council enacted Ordinance No. 2026-xx to amend Chapter 13-9-20 of the Oakley Municipal Code to repeal and reenact provisions to regulate short-term rentals in the City to promote the health, safety, and general welfare of its residents.

CITY OF OAKLEY

\_\_\_\_\_  
By: Steve Wilmoth, Mayor

ATTEST:

\_\_\_\_\_  
Amy Rydalch  
City Recorder

City Council Vote as Recorded:

City Council Vote as Recorded:

|                        |       |
|------------------------|-------|
| Council Member Dillman | _____ |
| Council Member Frazier | _____ |
| Council Member Neff    | _____ |
| Council Member Regan   | _____ |
| Council Member Smart   | _____ |

A complete copy of Ordinance No. 2026-xx is available in the office of the Oakley City Recorder, 960 West Center Street, Oakley, UT 84055

## **EXHIBIT A**

Ordinance No. 2026-XX

### **Chapter 13-9-20. Short-Term Rental Regulation and Registration.**

This Chapter shall be known as the Short-Term Rental Regulation and Registration Ordinance.

- A. Purpose: The purpose of this Chapter is to facilitate the regulation and registration of short-term rental units subject to regulations and standards to protect the public health, safety, and welfare, to permit varied accommodations and experiences for visitors while retaining the character of residential neighborhoods, and to address the need for available workforce housing.

B. Definitions:

**DWELLING UNIT:** One or more rooms in a dwelling designed for or occupied by one household for living or sleeping purposes and having one, but not more than one, kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units

**HIGH-IMPACT SHORT-TERM RENTAL:** A short-term rental as defined herein means a dwelling unit or any portion of a dwelling unit that the owner of record or lessee of the dwelling unit offers for occupancy for fewer than 30 consecutive days that accommodates occupancy of up to twenty (20) or more people at one time. High-impact short-term rentals may be subject to additional conditions and requirements as determined by Oakley City.

**MANAGING AGENCY OR AGENT:** A local person, firm or agency, or nightly homeowner that lives on property. The managing agency shall be the responsible party and available by telephone twenty-four (24) hours per day for contact by renter, emergency services, and applicable Oakley City representatives.

**OCCUPANCY LIMIT:** The maximum number of persons permitted to occupy a short-term rental at any one time will be two (2) persons per bedroom.

**PARK MODEL RECREATIONAL VEHICLES (PMRV):** Transportable enclosed structure built on a single chassis, mounted on axle(s) and wheels which is generally designed and constructed as temporary human occupancy housing accommodation for recreation, camping or seasonal use. The PMRV does not meet HUD standards for construction and manufacturing.

PMRV's are typically a "Tiny Home," or stick-built structure constructed on a single chassis and mounted on axle(s) and wheels. A PMRV may not be permitted as an accessory dwelling but may be approved by a temporary use permit for campgrounds in approved rural recreation grounds and facilities for stays exceeding 30 days.

**RECREATIONAL VEHICLE (RV):** Any vehicle, regardless of size, which is not designed to be used as a permanent dwelling, with plumbing, heating and electrical systems contained therein which may be operated without connection to outside utilities and which is self-propelled or towed by a light duty vehicle. An RV is designed for recreational use, camping, or temporary occupancy. A RV shall obtain a temporary use permit for long-term (exceeding 30 days) occupancy on private property or privately permitted campgrounds in the City. City Campgrounds are regulated by appropriate City rules and regulations.

**RESPONSIBLE PERSON OR AGENT:** Any individual, including the owner, the agent, or the agency, shall be identified as the responsible person or agent in the business license and short-term rental permit applications.

**SHORT-TERM RENTAL:** A dwelling unit or any portion of a dwelling unit that the owner of record or lessee of the dwelling unit offers for occupancy for fewer than 30 consecutive days in which an entire dwelling or rooms within a dwelling, with or without meals, are rented or otherwise made available to transient guests for compensation, including establishments listed or advertised online, otherwise known as bed and breakfasts or nightly rentals.

**TEMPORARY STRUCTURE:** Any moveable, tent-like structure or enclosure intended as a temporary dwelling, including a tent, yurt, tepee, RV, trailer, PMRV, or any moveable structure intended to provide protection from the elements or a temporary garage or storage unit.

**TINY HOME:** A tiny home is any home which is 400 square feet or less, mounted on a permanent foundation, connected to permanent utilities, provided with essential sanitation facilities, and met applicable building codes and regulations. Tiny homes are permitted under a Low Impact Permit as an accessory dwelling unit if a permitted use within the zone district provided the tiny home is compatible with existing architecture and landscaping of the adjoining residence. Tiny homes may not be less than 140 square feet of living space.

C. Short-Term Rental Limitations:

- a. **Limitation of Units:** No more than ten (10) short-term rental units may be permitted to operate within the municipal boundaries of Oakley City at any one time.
- b. **Geographic Separation Requirement.** Each short-term rental shall be located a minimum of one-half (½) mile separation from any other licensed short-term rental, as measured in a straight line from the nearest property line of one short-term rental to the nearest property line of another.
- c. **Grandfathering.** Short-term rentals existing under a business license as permitted under state law, prior to the adoption of this section, shall be considered a legal nonconforming use until such time as the annual business license and short term permit must be renewed.

**Commented [SW1]:** If only geographic separation, ½ mile apart...Oakley is 7.09 sq miles so 14 units allowed...???

**Commented [SW2]:** Only business license would need to be renewed.

- d. Permit Allocation. When the maximum number of licensed short-term rentals has been reached, no additional licenses shall be issued unless an existing license is revoked, surrendered, or expired.
  - i. If a license becomes available after the maximum number of short-term rentals licenses have been issued, the city shall provide notice of the availability for ten (10) days prior to the application deadline.
  - ii. If more than one timely application is submitted, Oakley City shall conduct a random lottery to choose the accepted application, provided the randomly-chosen application complies with the requirements of this Title.
- e. A short-term rental must be a permitted use within the zone as provided in OMC Chapter 13-4-19, Chart of Allowed and Permitted Uses.
- f. Additional Home Owner Association CC&Rs may also apply. **Home Owner Associations have the right to prohibit short-term rentals within their association.**
- g. Accessory dwelling units, including Tiny Homes, may be permitted as a short-term rental and must comply with all requirements of this ordinance.
- h. Temporary structures may not be permitted as short-term rentals.
- i. All short-term rentals shall be managed by a person, an owner, an agent or agency ~~through an on-site, live-in manager~~, who is licensed by the City with full contact information on file with the City, who will serve as the primary contact for the short-term rental.
  - i. The responsible **person or agent**, or such agent's employee or designee, shall be available twenty-four (24) hours per day, seven (7) days per week, to respond to any complaint about the operation or condition of the short-term rental, as filed with or through Oakley City. Contact information of the person or agent may be given to neighbors in case of noncompliance or an **incident**.
  - ii. The responsible person or agent shall respond within sixty (60) minutes of receiving notice of a complaint. The responsible agent's failure to respond to a complaint, as required by this Section, **shall be a violation enforced against the short-term rental unit and the owner.**
  - iii. An alternate responsible agent may be identified by the owner if the designated responsible agent is not successfully contacted by Oakley City in response to a complaint or reported violation of the City's administrative rules and regulations.
  - iv. The owner may change the responsible agent during the term of the registration. The owner shall notify Oakley City of the change, in writing at least seven (7) days prior to the change, and shall provide the name, address and telephone number of the new responsible agent.

**Commented [SW3]:** Language that even small STRs must comply with requirements.

**Commented [SW4]:** Question for Planning Commission: ADU's acceptable as STRs?

**Commented [LW5R4]:** I don't think on-site live in managers should be required.

**Commented [SW6]:** Concerned about this language. The can just be an individual - not a licensed agency or person. Most important is that they have 24/7 contact availability on file with City.

**Commented [LW7R6]:** Fixed.

**Commented [LW8]:** How will this contact information system work?

**Commented [SW9R8]:** I would imagine that if any employee of Oakley City receives a call complaining against an STR - the complainer will be provided the agent's contact information.

**Commented [LW10R8]:** See UCA 10-8-85.4(4) which permits business licensing to be required for STRs

#### **D. LICENSING REQUIREMENTS**

- a. A short-term rental business owner shall register the business with the Utah Department of Commerce, Division of Corporations and Commercial Code, obtain a business license and short-term rental permit from Oakley City, and comply with all applicable municipal codes, regulations, and operational standards.
- b. The business license and short-term permit from Oakley shall specify conditions

- that pertain to the short-term rental unit and shall be renewed annually.
- c. The licensee for short-term rentals shall be the homeowner who shall be considered the responsible party unless otherwise designated on the business license and short-term rental permit applications.
  - d. As a condition to holding a valid business license for a short-term rental, the licensee agrees to provide or arrange for adequate property management services including: housekeeping, yard maintenance, structural maintenance and compliance with general building health and safety requirements, trash collection which ensures that trash cans are not left on the street for any period in excess of twenty-four (24) hours, and assurance and enforcement of guests meeting the requirements of good neighbor practices, including no loud music or unruly parties, guest vehicle parking compliance, and courtesy to neighbors.
  - e. The terms of a business license and short-term rental permit shall be for twelve (12) months; annual renewal of the business license and applicable permitting is required. Registration fees shall be set by resolution of City Council.
- E. Registration Requirement.
- a. It shall be unlawful for any person or booking service provider to operate or advertise to rent any short-term rental unit without first registering with the Oakley City.
  - b. Each short-term rental unit shall be registered separately. The short-term rental registration does not run with the unit but is issued to the specific owner of a specific short-term rental unit. The registration shall not be transferred or assigned to another individual, person, entity, or address but may be managed by a live-in, third-party on behalf of the owner.
  - c. Any person found to be advertising for rent or renting a short-term rental unit without registering with Oakley City shall be notified by certified mail to resolve all violations. Upon receipt of the notice, the owner of the short-term rental unit shall have ten (10) business days to correct the violation(s).
  - d. Corrective options shall include without limitation removing the offending advertisement, terminating the rental of the offending unit(s), or by registering the short-term unit with Oakley City. If the owner of the short-term rental unit fails to correct the violations or receives subsequent violations, the owner shall be subject to the fines as provided in 13-9-20-I of this Chapter and will no longer be eligible to operate as a short-term rental. Each day a violation exists shall be considered a separate offense.
- F. Conditions for All Short-Term Rental Units
- a. South Summit Fire Department Inspection
  - b. Life Safety Inspection
  - c. Affidavit of Good Neighbor Initiative
  - d. Proof of Insurance with a minimum \$1,000,000 policy with Oakley City listed as an insured.
  - e. Written approval from Summit County Health if property utilizes a septic system
- G. Short-term Rental Management
- a. ADVERTISING. An owner of property or the owner's agent who advertises or rents a short-term rental shall include the following information in every advertisement and in each rental contract:
    - i. The Oakley City short-term rental license number;

**Commented [LW11]:** See 10-8-85.4.

**Commented [SW12R11]:** Does this language comply with named State code?

**Commented [SW13]:** Can we require this?

**Commented [SW14R13]:** Million policy?

- ii. The number of sleeping rooms available for rental as allowed in the license;
- iii. The maximum number of people allowed to occupy the short-term rental as contained in the license;
- iv. The allowed number of parking spots/cars allowed on premise. In residential zones, notice that guests are prohibited from parking on streets or in rights-of-way.
- v. Whether pets are allowed and the conditions associated with pets.
- vi. Events are not allowed within the short-term rental
- vii. Reasonable check-in and check-out times.
- viii. Minimum age requirement to rent. Applicant should be prepared to present a valid photo ID proving age upon arrival. The primary guest must meet the minimum age requirement of 25 years old to check in.

Commented [SW15]: Allowable? Enforceable?

b. PARKING:

- i. Upon application, all short-term rentals must designate parking units at a rate of 1 space per rented bedroom in excess of 3 bedrooms.
- ii. The motor vehicles of all occupants of the short-term rental unit shall be parked only on the designate parking site of the unit as specified in application and advertising for occupants.
- iii. No motor vehicles shall be parked on the lawn or landscaped areas of a unit or in the public street or right of way adjacent to the unit.
- iv. No person shall be permitted to stay overnight in any motor vehicle, which is parked at a short-term rental unit.
- v. All forms of advertisement for the short-term rental unit shall list the number of available on-site parking spots provided

c. MANAGEMENT STANDARDS: The authorized lodging must be properly managed. The minimum services and management regulations required include:

- i. Snow removal during winter months to a level that allows safe access to the building over the normal pedestrian access to the Unit; Includes private roads, parking, driveways, sidewalks, porches, and decks.
- ii. Summer yard maintenance, including landscaping, weed control, and irrigation to a level that is consistent with the level of landscaping and maintenance on adjoining and nearby properties;
- iii. Structural maintenance to preserve substantial code compliance as described herein is required;
- iv. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties;
- v. Trash collection which ensures that trash cans are not left at the curb for any period in excess of twenty-four (24) hours; the property must be kept free from accumulated garbage and refuse;
- vi. Housekeeping service.
- vii. On-street parking for nightly rental uses shall not result in an obstruction to traffic and pedestrian circulation or public safety;
- viii. No outdoor display of goods and merchandise shall be permitted as part of any short-term rental use
- ix. No signs will be permitted for short-term rental uses;

- x. Nightly rentals may not be used for commercial uses not otherwise permitted in the zone. Nightly rentals may not be converted to Corporate Sponsor or Business houses which are used primarily to distribute retail products or personal services to invitees for marketing or similar purposes, regardless of whether such products or services are charged for. A Corporate Sponsor is any Business enterprise or combination of Business enterprises which provide funding for any special event in the amount of fifty percent (50%) or more of the funds necessary to promote the event or account for fifty percent (50%) or more of the event operating expenditure budget.
- xi. Occupants of a short-term rental unit shall not cause unreasonable noise in violation of Oakley City Ordinance 2023-02 “Enacting Noise Restrictions and General Quiet Hours within the City of Oakley.”
- xii. No open burning at the site of a short-term rental unit shall be permitted. Additionally, only gas grills permitted.

Commented [SW16]: Allowable? Add to inspection?

- 1. If drought mitigation restrictions adopted by Oakley City and/or South Summit Fire District are in effect, the owner of the short-term rental unit shall post this information in the unit in a conspicuous location.

d. GOOD NEIGHBOR INITIATIVE. A placard with the following key information must be clearly posted and serve as a clear and easily accessible guide for guests to follow.

- i. Contact information: A 24/7 phone number for the on-site designated agent or property owner.
- ii. Quiet Hours: Per Oakley City “Noise” Ordinance 2021-01, Quiet Hours are between 10:00 PM and 7:00 AM.
- iii. Parking Information: Guidance on where to park and limits on the number of vehicles as designated on business license.
- iv. Occupancy Limits: Maximum number of guests allowed to per business license.
- v. Rules on Pets: Requirements for cleaning up after pets and following leash laws.
- vi. Trash and Recycling: Instructions on how and when to dispose of waste.
- vii. Fire Safety Information: Important guidelines, especially in areas susceptible to fires.
- viii. Wildlife Awareness: Information about respecting local wildlife, including agricultural animals.
- ix. Lighting Restrictions: Guidelines on the use of outdoor and general lighting.

#### H. RESPONSIBILITY

- a. All property and sales taxes that are lawfully assessed against a short-term rental unit shall be paid to the appropriate taxing authority.
- b. Owner Liable: Compliance with the conditions set forth in this Chapter shall be the nondelegable responsibility of the owner of the short-term rental unit, and each owner of a short-term rental unit shall be strictly liable for compliance with the conditions set forth in this Chapter.

- c. Owner to Receive Conditions: At the time of the issuance of a registration, Oakley City shall provide the owner with a copy of the conditions set forth in this section.
- d. Owner to Post Registration and Conditions: The owner shall post a copy of the registration and the conditions set forth in this section in a conspicuous location within the short-term rental unit, including the Good Neighbor Placard
- e. Owner to Provide Responsible Agent With Conditions: The owner shall provide the responsible agent with a copy of the conditions set forth in this section.

#### I. PENALTIES AND REVOCATION

- a. It is unlawful to violate any provision of this Chapter. Violations of this Chapter shall be civil infractions. Each day a violation exists shall be deemed a separate offense and be punishable as such.
- b. Oakley City Code and registration violation penalties are as follows and are considered within a registration's 12-month term:
  - i. 1st offense – written warning;
  - ii. 2nd offense - five hundred dollar (\$500) fine; and
  - iii. 3rd & subsequent offenses - one thousand dollar (\$1000) fine, immediate revocation of short-term permit, and future short-term rental registration prohibited for two (2) years and subject to future short-term rental permit availability.
- c. Enforcement of this Chapter may be initiated any of the following ways:
  - i. A citation may be served by mailing notice via first class or certified mail to the last known addresses of the owner, or
  - ii. posting on the front door of the short- term rental unit, or
  - iii. by personally serving the owner or the responsible agent.
- d. In addition to the penalties described above, Oakley City shall have any and all remedies provided by law and in equity for a violation of this Chapter, including without limitation: damages; specific performance; and injunctive relief, including without limitation an injunction requiring eviction of any occupants of the short-term rental unit and an injunction to prohibit the occupancy of the property in violation of this Chapter. All remedies shall be cumulative.

