

MILLVILLE PLANNING COMMISSION MEETING

**City Hall - 510 East 300 South - Millville, Utah
Aug 20, 2020**

1. Roll Call:

Chairman Garrett Greenhalgh, Commissioners Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.).

Others Present:

Treasurer Tara Hobbs, Development Coordinator Randy Wall, Recorder Corey Twedt, Joan Findlay, Reed Findlay, Jon Hancey, Roxie Hancey, Kora Hancey, Val Meyer, Angie Meyer, Chris Funk, and Bayler Gunnell. Jeremy Jensen participated by phone for his portion of the meeting. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Greenhalgh opened the meeting at 8:00 p.m.
He led all present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Aug 20, 2020 was reviewed. A motion was made by Commissioner Dickey to approve the agenda as presented. Commissioner Lewis seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

4. Review and Approval of the Minutes from Aug 6, 2020

The Planning Commission meeting minutes were reviewed. A motion was made by Commissioner Farmer to approve the minutes as outlined. Commissioner Lewis seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.A. Zoning Clearance – Reed Findlay, accessory building at 249 E Center, Millville

This shed is less than 200 sq ft but will have electricity so it does need a permit. Commissioner Dickey moved to approve the clearance. Commissioner Lewis seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.B. Zoning Clearance – Jon and Roxie Hancey, accessory building at 150 S 550 E, Millville.

This steel building is set 2 feet off the property line. This meets the Millville setback requirement (dripline on current property), however the county may require a larger setback and/or a firewall on the side nearest the property line.

Commissioner Lewis made a motion to approve the clearance. Commissioner Farmer seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.C. Zoning Clearance – City of Millville, shop extension at 510 E 300 S, Millville

This will be an extension of the shop connected to the current building but set halfway back. It will be 20 feet off the rear property line, and will be funded with Covid19 grant money.

Commissioner Lewis made a motion to approve the clearance. Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.D. Funk Minor Subdivision – Final Plat

Chris Funk has made arrangements with the previous property owner for him to install all of the sidewalks for the entire subdivision. They will be 5 feet wide, and positioned 3 feet west of the property line as specified by the public works director.

The sidewalks do not have to be installed before meeting with the City Council but no building permits will be issued until they are completed.

Lot 1 is using frontage along 100 West to meet the 108 foot frontage requirement, which means the home must face west.

Commissioner Lewis made a motion to recommend to the city council the approval of the Funk Minor Subdivision contingent upon the sidewalks being completed before any building occurs, and also contingent upon the frontage of lot 1 facing west (on 100 West). Commissioner Dickey seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.E. Millville Escape Subdivision Preliminary Plat – Set Public Hearing

Jeremy Jensen participated by video conference, however the sound would not work so he also called in over the phone.

Chairman Greenhalgh clarified that the sewer is on the way. Currently no major subdivisions are allowed due to the moratorium imposed by Bear River blocking septic permits until the sewer is completed. When the sewer is done the homes in this subdivision should be okay to proceed forward.

All of the required paperwork listed under Ord 16.16.020 for the preliminary plat has not been received, including item F.10. Owners Of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision.

This list is required in order to notify surrounding neighbors of the public hearing, and should be supplied prior to moving ahead with the process.

Commissioner Lewis made a motion to set a public hearing for Thursday Sept 17, 2020 at 8:05 pm contingent upon receiving the list of neighboring property owners' names and addresses by Sept 1, 2020. If the list is not received no hearing will be scheduled. Commissioner Anderson seconded. Commissioners Dickey, Greenhalgh, Farmer, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor, with Commissioner Thompson excused.

5.F. Airbnb Ordinance Review – Dev. Coordinator Wall

Randy researched what the laws were regarding Airbnbs and has provided documents for the commissioners showing places where they are legal or illegal, what the Utah law states regarding short term rentals, and some suggestions for what should be included in our own ordinance. (see attached) He also called all around the county and found that only two cities have ordinances addressing Airbnbs, Logan and Providence. Both of those cities do not allow them, and most places are just turning a blind eye to the issue.

The main concerns that seem to surface with Airbnbs are; Noise, parking, curfews, and destruction of property. Many of these issues are already addressed in our current ordinances. A suggestion was made to require a business license which could allow the city greater control over regulating the business if complaints are received.

Before the commission precedes any further with developing a whole new ordinance they want to make sure the City Council is wanting this regulation for the city. Dev. Coordinator Wall will review this topic at the next council meeting to see what their interest is.

5.G. Review of Sidewalks

The commissioners had maps of all the existing sidewalks in the city which had been drawn up by Harry Meadows. In the discussion it was identified that this was more complicated than just picking an area to say sidewalks are required here.

The costs for installing sidewalks can be quite large and the city may never get around to installing them where they had hoped.

The commissioners wanted to focus on filling in the missing spots where pieces of sidewalk had never been completed. They also thought sidewalks should be required in places that were adjacent to a lot with an existing sidewalk.

There was also discussion about all new major subdivisions installing sidewalks, but minor subdivisions may or may not be required to have them.

There were some areas of town that have never had them but maybe should have some, like on 300 South near the park. Also brought up were areas near churches, schools, parks and feeder roads.

Chairman Greenhalgh felt that the current map was too hard to decipher and requested a clearer map showing the houses that currently had sidewalk in front of them. Randy volunteered to put something together for next time.

The discussion will be continued at the next meeting.

5.H. Other

Val Meyer has presented drawings from his engineers (and approved by Millville engineers) to show the retaining wall needed on his Hillside Overlay parcel. He was present to request approval from the planning commission to proceed with the construction of the wall and the soil compaction for his foundation. The commissioners were all in agreement that he could move forward, but didn't know if the county would require a building permit in order to have the inspections done.

Chairman Greenhalgh stamped and signed the drawings for Mr. Meyer to take to the county, and told him to have the county contact him if they had any concerns.

6. City Council Report – review minutes from the Aug 13, 2020 meeting

Commissioner Farmer asked about the Millville Escape Subdivision annexing into Providence.

Dev. Coordinator Wall explained that there was some discussion going on with Jeremy Jensen about moving this current subdivision into Providence and making some future concessions regarding the remainder of the Celco property in Millville.

7. Agenda Items for Next Meeting

Building permits

Sidewalks review

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Sept 3, 2020 at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:50 p.m.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

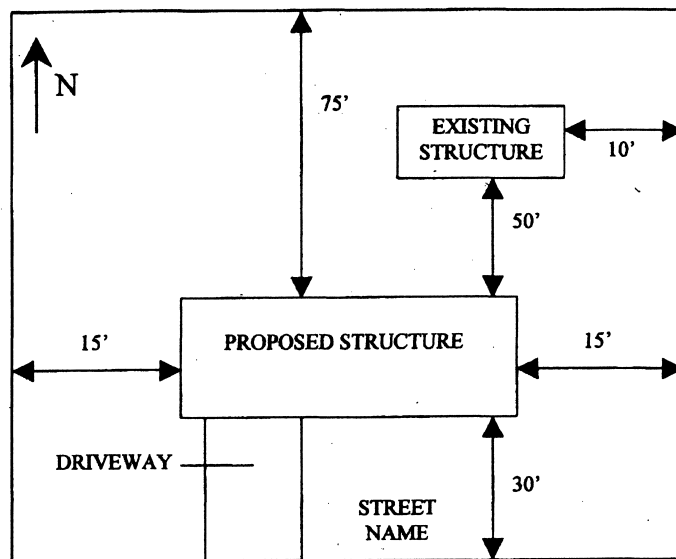
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

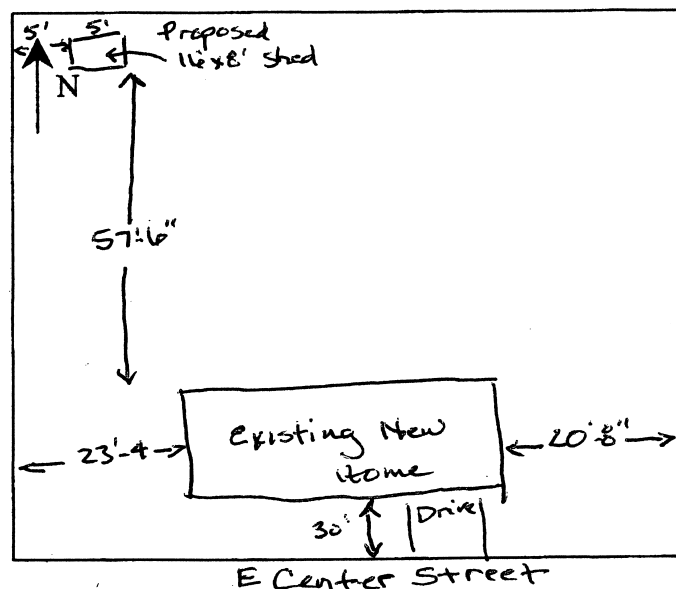
1. Reed G Findlay (Joan)
APPLICANT'S NAME
2. _____
MAILING ADDRESS
3. Millville VT 84326
CITY STATE ZIP CODE
3. (435) 770-3645 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. utility shed
TYPE OF STRUCTURE
7. 128 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. _____
TAX IDENTIFICATION NUMBER
11. 249 E. Center
ADDRESS OF CONSTRUCTION
12. .37 13. _____
LOT SIZE LOT ELEVATION
14. SEWER ☐ SEPTIC TANK ☒ N/A ☐
(choose one)
15. CITY WATER ☒ PRIVATE WELL ☐ N/A ☐
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

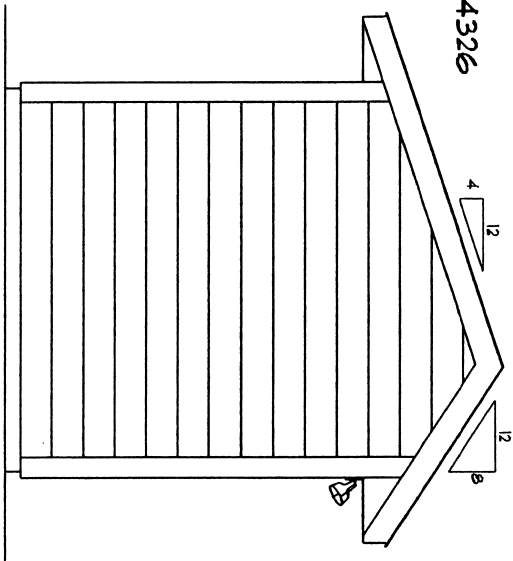
DATE

FEES PAID - TREASURER

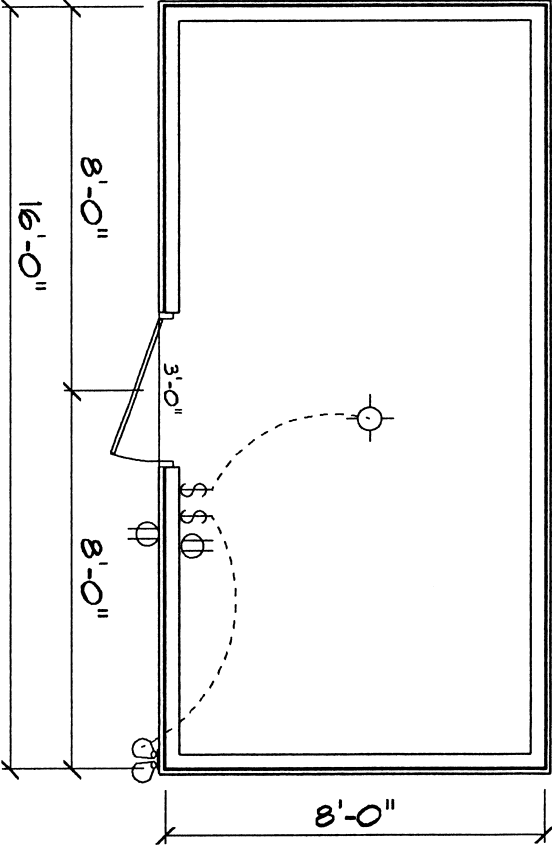
DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)

REED & JOAN FINDLAY
249 EAST CENTER
MILLVILLE, UTAH 84326

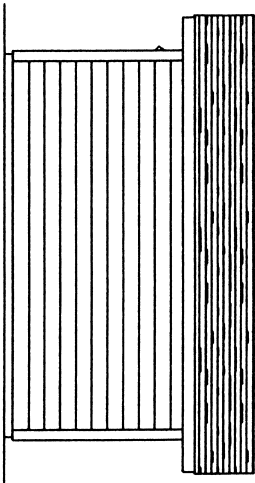


LEFT ELEVATION
SCALE: 1/4" = 1'-0"

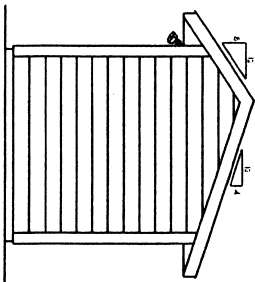


SHED FLOOR PLAN

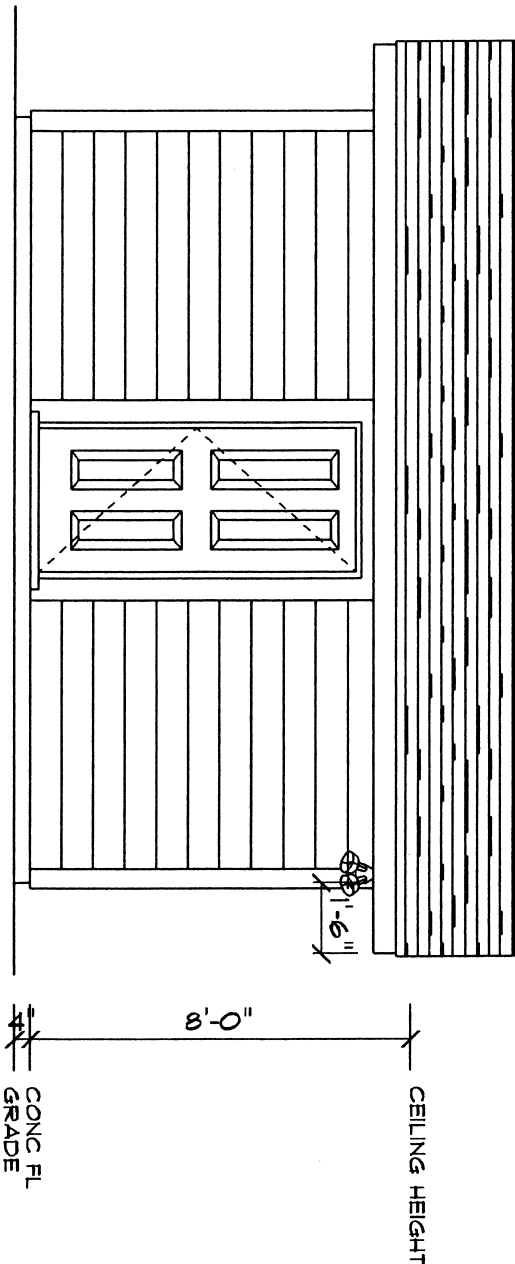
128 SQ FT
SCALE: 1/4" = 1'-0"



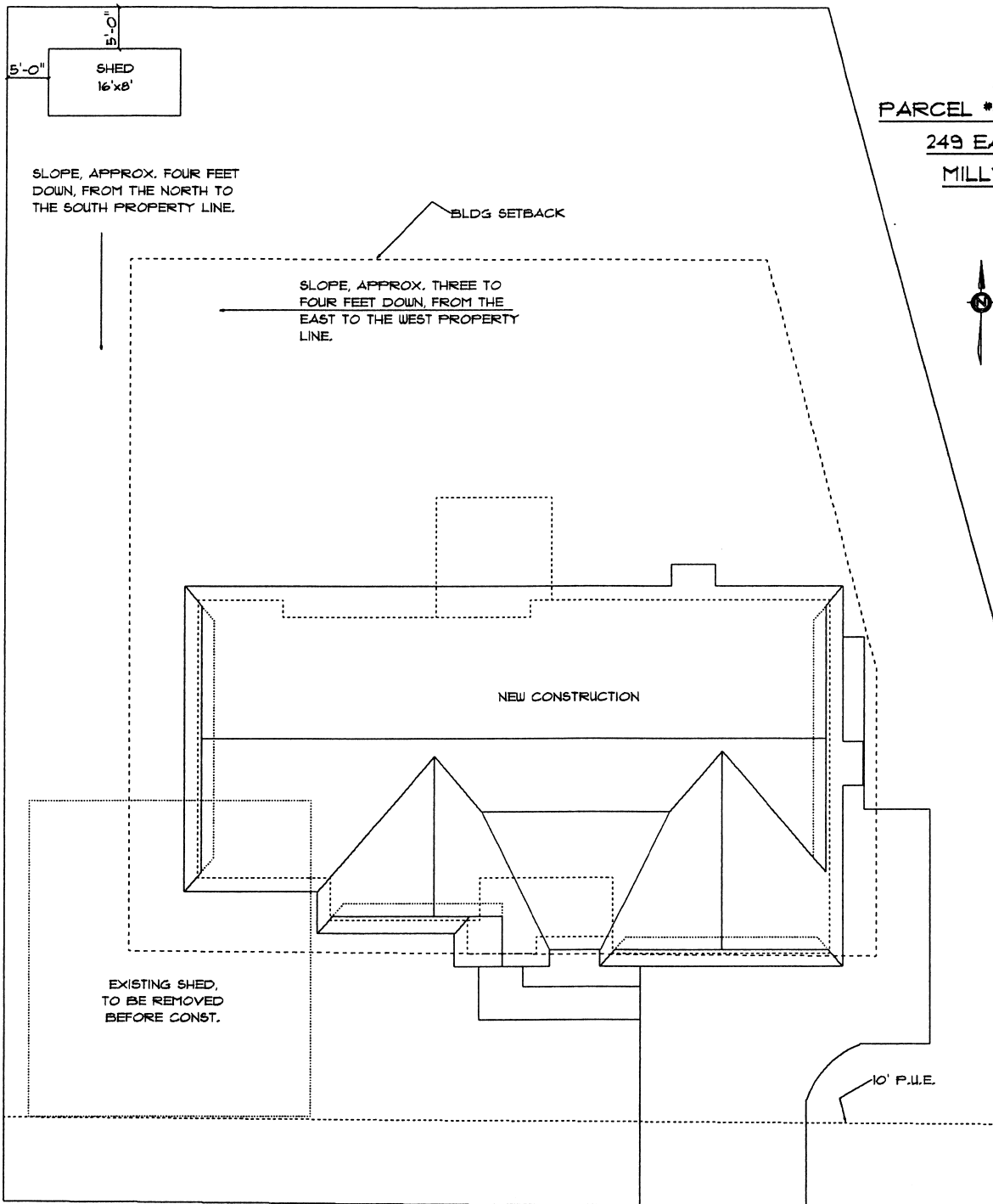
REAR ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



PLOT PLAN

PARCEL #03-030-0114, .37 ACRES

249 EAST CENTER STREET

MILLVILLE, UTAH 84326

SCALE: 1/16" = 1'



UTILITIES LOCATED IN THE
5'-10' BETWEEN THE ROAD
AND 10' EASEMENT

SEWER CONNECTION TO
BE DETERMINED BY
MILLVILLE CITY

WILL CONNECT TO CITY
CULLINARY WATER

EAST CENTER STREET

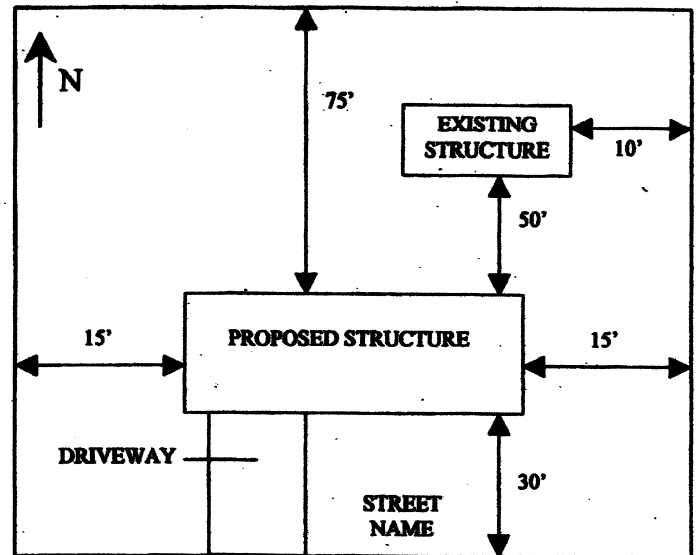


MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

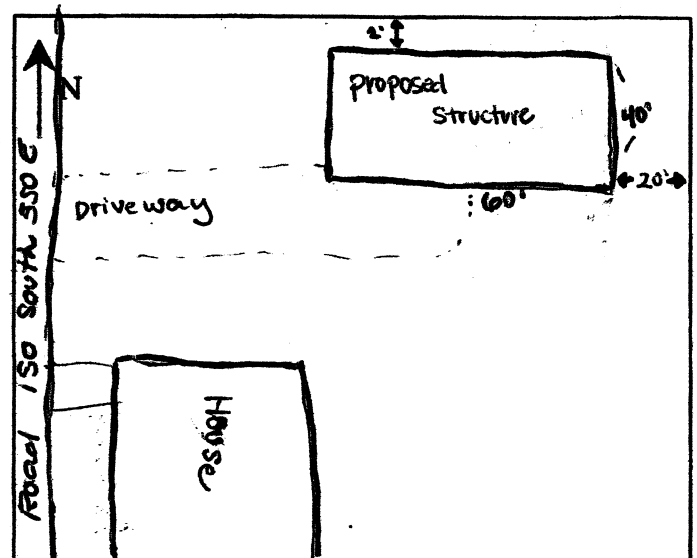
APPLICATION INFORMATION

1. Jon and Roxie Hancey
APPLICANT'S NAME
2. PO Box 702
MAILING ADDRESS
- Millville VT 84326
CITY STATE ZIP CODE
3. 435-535-1232 4. 435-760-1803
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Shop
TYPE OF STRUCTURE
7. 2400 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. _____
TAX IDENTIFICATION NUMBER
11. 150 S. 550 E
ADDRESS OF CONSTRUCTION
12. 1 acre 13. _____
LOT SIZE LOT ELEVATION
14. SEWER future SEPTIC TANK ☐ N/A ☐
(choose one)
15. CITY WATER ☐ PRIVATE WELL ☐ N/A ☒
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
future (specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN
 (numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

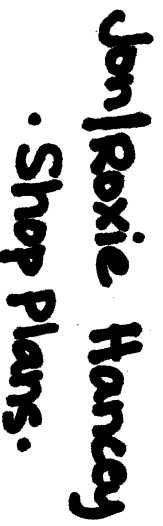
DATE

FEES PAID - TREASURER

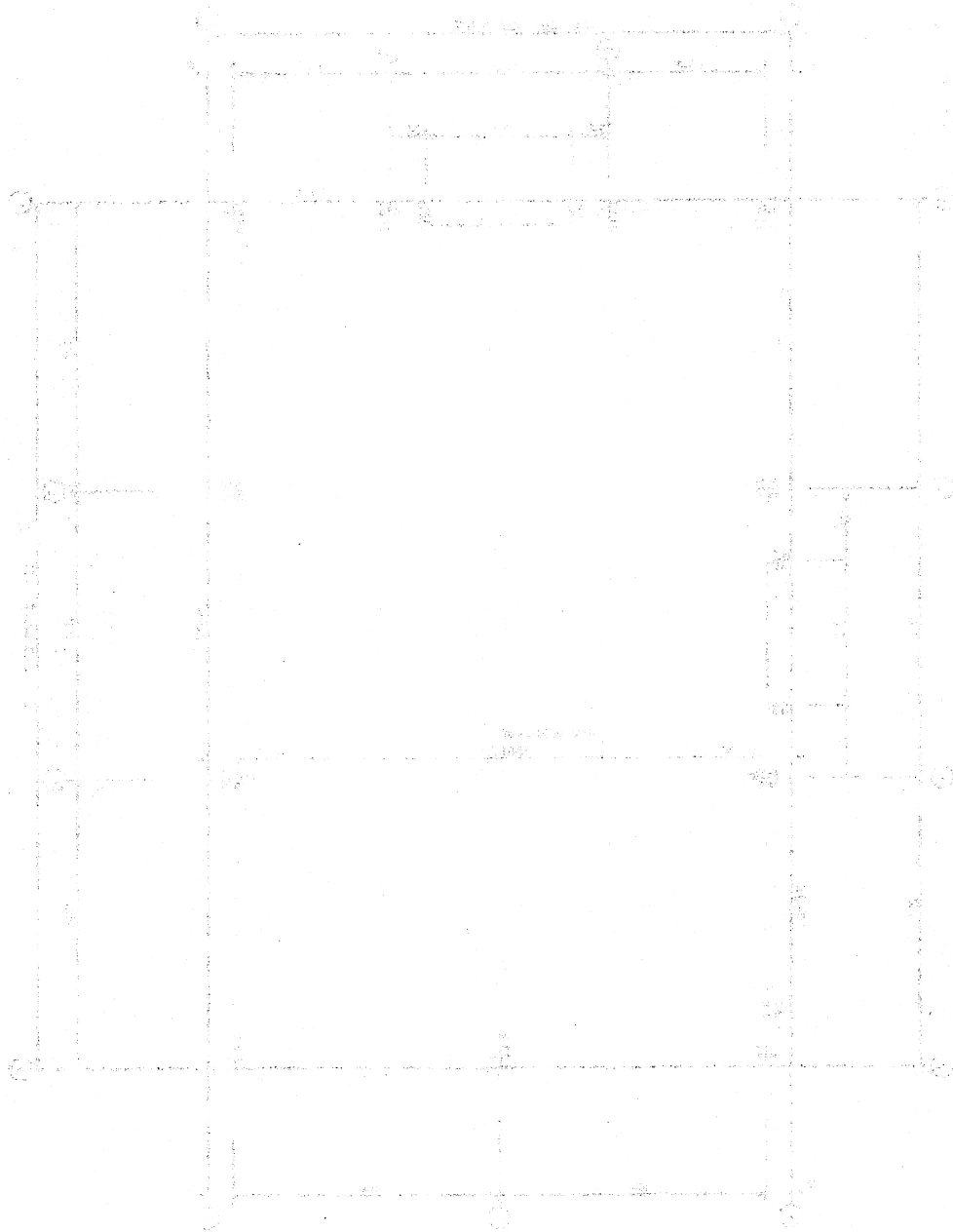
DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes.

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Handwritten text, possibly a signature or name, oriented vertically.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

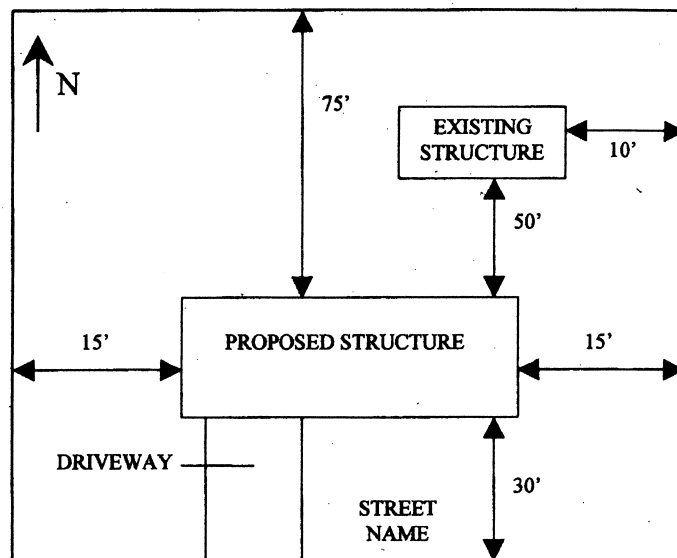
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

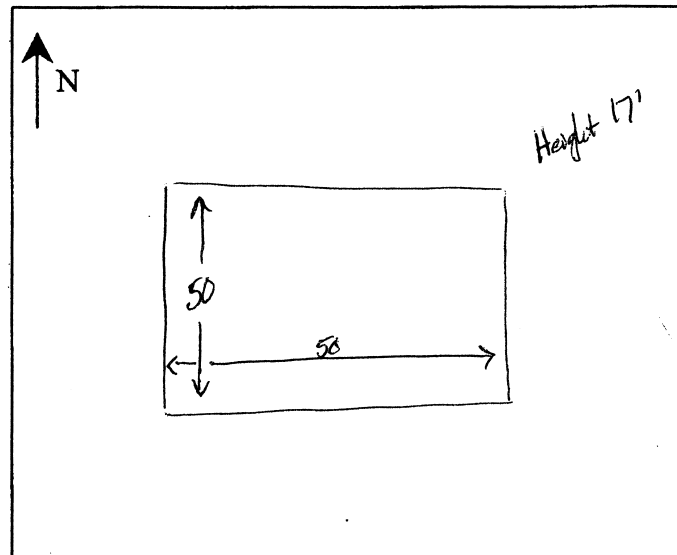
1. Millville City
APPLICANT'S NAME
2. 510 E. 300 S.
MAILING ADDRESS
- Millville UT 84326
CITY STATE ZIP CODE
3. _____ HOME TELEPHONE
4. _____ BUSINESS TELEPHONE
5. _____ OWNER'S NAME (if different from applicant)
6. Shop Extension
TYPE OF STRUCTURE
7. 2,500 sq. ft. 8. _____
SQUARE FOOTAGE ZONE
9. _____ SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. _____ TAX IDENTIFICATION NUMBER
11. 510 E. 300 S.
ADDRESS OF CONSTRUCTION
12. _____ LOT SIZE
13. _____ LOT ELEVATION
14. SEWER ☐ SEPTIC TANK ☐ N/A ☐
(choose one)
15. CITY WATER ☒ PRIVATE WELL ☐ N/A ☐
(choose one)
16. ELECTRICITY ☐ GAS ☐ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



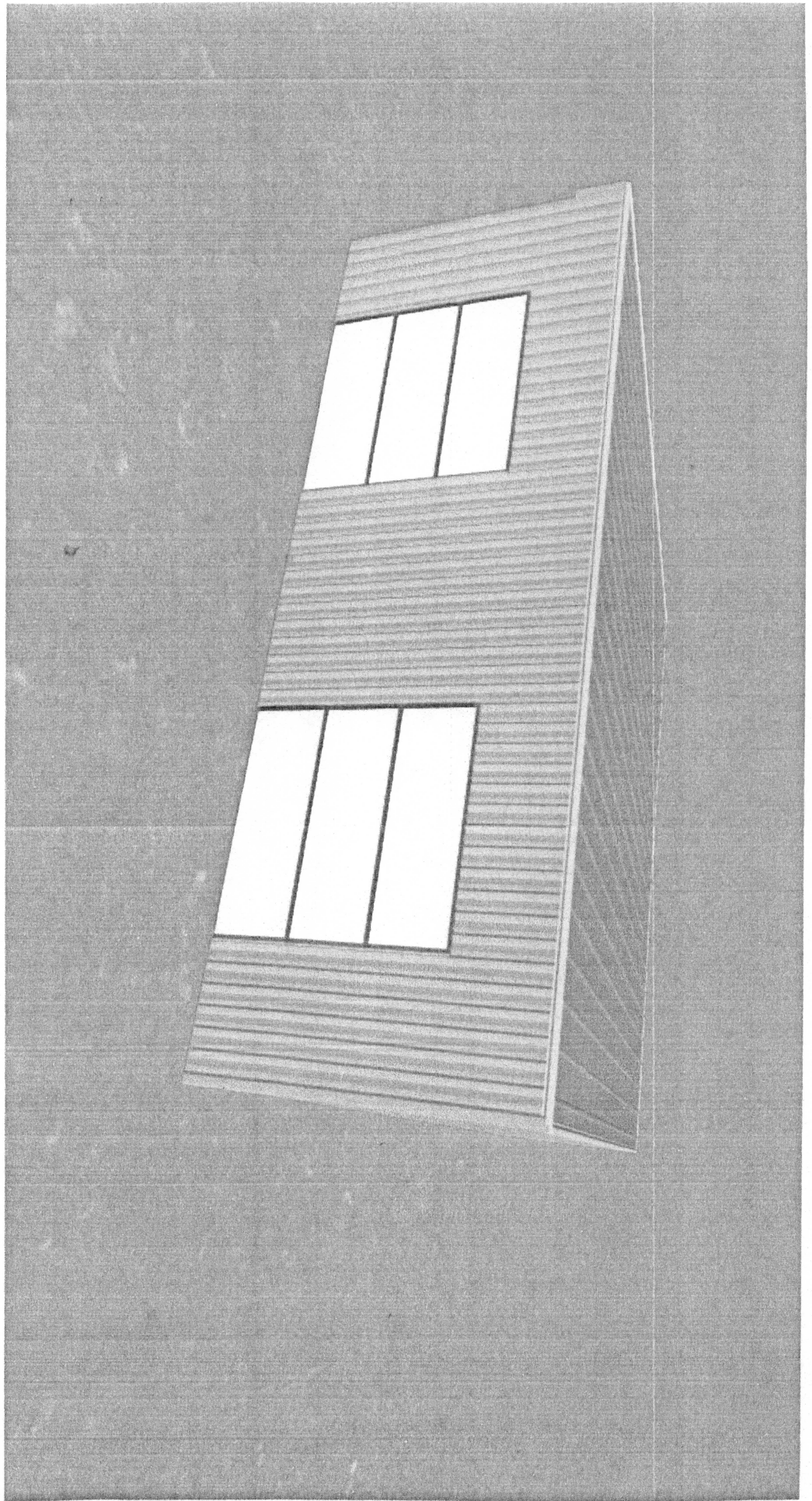
PLOT PLAN



APPROVED - PLANNING AND ZONING _____ DATE _____

FEES PAID - TREASURER _____ DATE _____

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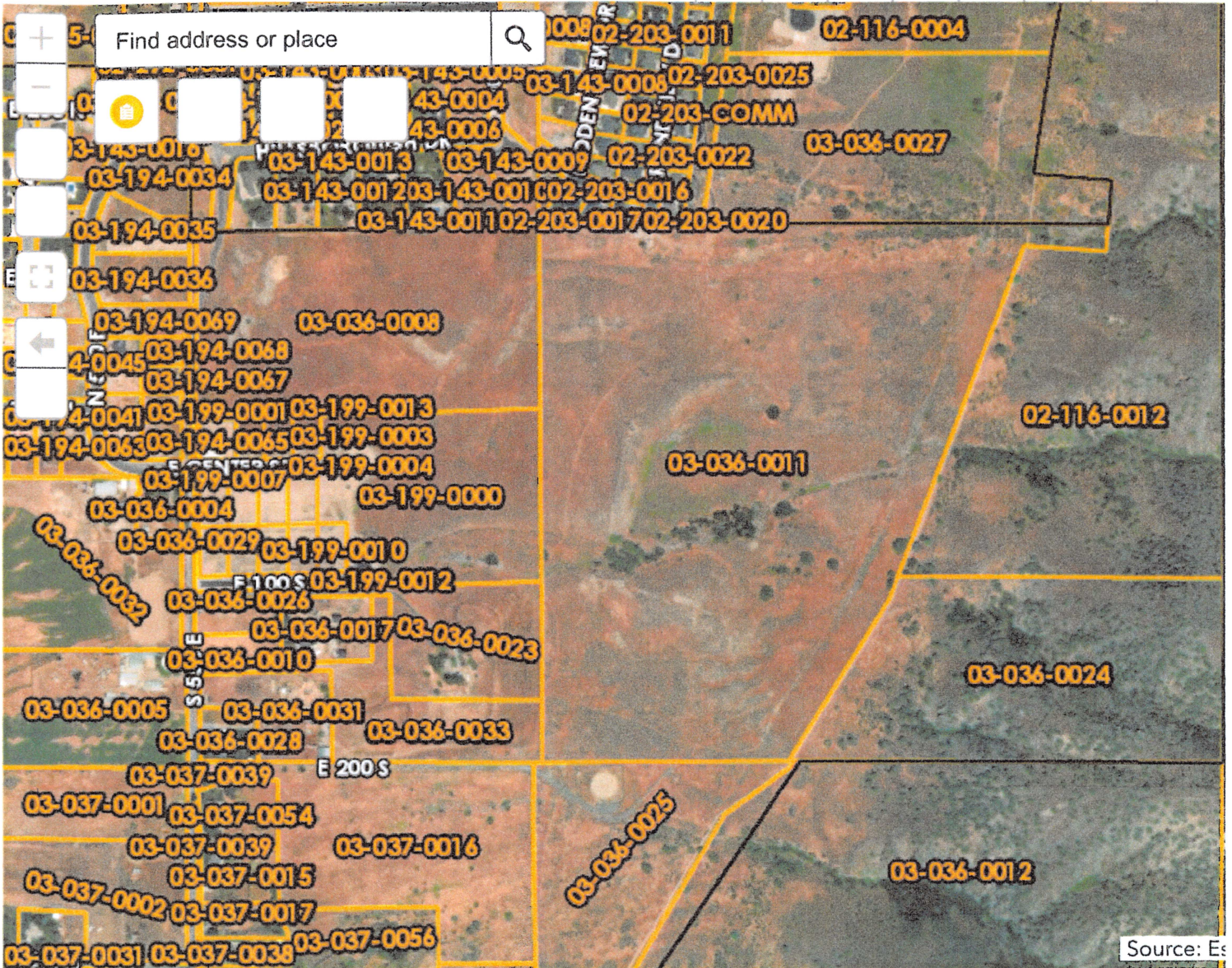
[illegible]

Parcel and Zoning Viewer



clear

+



Source: Es

600ft

Top Cities Where Airbnb Is Legal or Illegal

- FACEBOOK
- TWITTER
- LINKEDIN

By ZAW THIHA TUN

Updated Mar 8, 2020

Using Airbnb, a short-term rental service that enables homeowners or tenants to rent out properties for side income, is a huge hit with budget-conscious travelers. Regulatory boards around the world, however, can be a challenge. Among the problems that city governments and state regulators foresee with Airbnb are the potential to upend landlord-tenant relations (for example, a landlord could try to evict a tenant to charge higher short-term rents to vacationers). Regulators also fear a potential influx of travelers who will transform quiet residential neighborhoods into revolving hotel districts. There are also concerns about a current lack of oversight and accountability over Airbnb-related tax collection and adherence to zoning by-laws. Therefore, individuals who are considering using Airbnb (either to find a room or to rent out an apartment) should conduct due diligence to check that the city in question fosters a supportive environment for Airbnb. Moreover, the listing should comply with the city's current municipal codes. *Paris, Barcelona, and Santa Monica, California, have some of the strictest policies regarding who can and can't rent through Airbnb, while Amsterdam, Berlin, London, San Francisco, and New York have looser requirements.*

Paris

In 2018, a Paris official, Ian Brossat, criticized home rental services because he believes they displace local people from the main city.¹ Paris is the largest market in the world for Airbnb, which has over 60,000 apartments on offer. Other cities such as Spain, New York, and Santa Monica share the sentiments of Brossat. In 2015, there were government crackdowns on secondary apartments in Paris set up specifically as short-term rental units with officials fining violators up to €25,000.² As of 2017, Air BnB landlords in France are required to register their home and display the registration number in their ad under the Elan Law.³ Paris Mayor Anne Hidalgo, citing concerns that the proliferation of Air BnB listings in the city threatened to turn it into an "open-air museum," announced in 2019 her plans to enforce the law's €12.5 million fine for unregistered ads.⁴

Barcelona

In May 2018, Barcelona continued its tough stance on Airbnb and other similar sites. The city instructed the site to remove 2,577 listings that it found to be operating without a city-approved license, or face substantial fines. Then on June 1, Airbnb and the city initiated an agreement giving Barcelona officials access to listings data. According to CityLab, "For the first time, city officials will be able to refer to host data that details specifically where apartments are located and who their registered hosts are, something that could previously require substantial investigation."⁵ Host ID numbers will verify if linked apartments do indeed have permission. In 2016, Airbnb was hit with a (still unpaid and contested) €600,000 fine for listing unlicensed apartments, following a more modest €30,000 fine the year before (that same fine was also levied against the website HomeAway). Locals say that Air BnB rentals have made it even harder to find accommodation in the city, and the Catalan government has gone as far as to start a social media campaign urging tourists to rat out illegal or suspected illegal short-term rentals.⁶ Despite challenges from some cities, there have been over 400 million Airbnb check-ins around the world in the last decade.

Berlin

German officials, placing some blame on Airbnb for Berlin's increasing rents and housing shortages, passed a law in 2014 banning short-term rentals that have not received explicit permission from the Berlin Senate.⁷ Prospective landlords could apply for a permit to rent out their properties for periods shorter than 60 days, but officials vowed to reject 95% of those applications under the 2014 law.⁸ However, in March 2018, the city's assembly overturned that law.¹⁰¹¹ The ruling means that owner-occupiers can rent out their primary homes without time restrictions after obtaining a permit from city officials, and rent out second homes for up to 90 days each year.

Amsterdam and London

These two cities have been far more receptive to Airbnb than other European destinations. In February 2015, Amsterdam announced a cooperative effort with Airbnb in which the city would levy a tourist tax on rentals while Airbnb informed potential hosts of all rules and regulations.¹² However, in 2018, Amsterdam limited short-term rentals to 30 days a year, halving its previous limit.¹³ And Londoners interested in renting out their properties on Airbnb have benefited from an amendment to the city's housing legislation (which passed Parliament in March 2015), allowing homeowners to rent out their house, flat, or spare rooms for up to three months a year.¹⁴ Those living outside the Greater London area may rent their primary or secondary properties for up to 140 days a year. Airbnb is booming in London. A study from property services company Colliers suggested that Airbnb's market share in London jumped threefold in 2017 from 2.8% to 7.6% of overnight stays.¹⁵

New York

The biggest tourist destination in the United States is naturally no stranger to Airbnb. However, Recode reported that Airbnb took the city to court in August 2018 over a new law that would require Airbnb and other home-sharing companies to provide the city's enforcement agency the hosts' names and addresses each month.¹⁶ Airbnb claimed the law violated its users' privacy and constitutional rights. New York City is Airbnb's largest market, but, according to the city, as many as two-thirds of Airbnb's listings are illegal. In January 2019, a federal judge blocked the law after declaring it unconstitutional. When a similar law was enacted in San Francisco, the number of listings on Airbnb dropped by 50%.¹⁷

San Francisco

San Francisco adopted a similar policy as New York: Airbnb rentals are allowed only if hosts are full-time residents, rentals are capped at 90 days and all hosts must register with the city.¹⁸ Violators are subject to a fine \$484 a day for first-time offenders and \$968 a day for repeat offenders.¹⁹ However, despite these stipulations, the *San Francisco Chronicle* reported that only a fraction of Airbnb hosts have actually complied with the new law. Investigations in 2019 found that as many as half those applying for a short-term rental permit in San Francisco have been found to have lied on their applications, mostly about claiming falsely to be a resident of the home they're renting. Furthermore, as in other cities, Airbnb faces mounting criticism from housing activists who blame the site for reducing the already-scant supply of housing.

Santa Monica

This city has effectively wiped out 80% of its Airbnb listings by instituting the toughest regulations on short-term rentals in the U.S. The southern California city said it was spurred by overall increases in housing prices and dwindling housing supply. The new regulations, which have been effective since June 2015, require anyone putting a listing on Airbnb in Santa Monica to live on the property during the renter's stay, register for a business license, and collect a 14% occupancy tax from users that will be payable to the city.²⁰ In 2019, the City of Santa Monica reached an agreement with Airbnb in which the company agreed to remove illegal short-term listings from its website.²¹ As of 2019, the city has only 351 short-term rental properties, most of which are listed on Airbnb.²²

The number of cities Airbnb has listings in, spread throughout 191 countries.

The Bottom Line

Airbnb is no stranger to controversy. Supporters argue that the service allows travelers to rent more affordable lodging while opponents accuse Airbnb of being a detriment to housing prices, supply, and neighborhood quality of life. Cities have a wide range of approaches in dealing with the service, from stringent Santa Monica to fairly laissez-faire Amsterdam. Given this situation, any prospective Airbnb host needs to know where their city lies on this spectrum. Otherwise, they have a possible chance of being slapped with a harsh penalty or, if a tenant, even evicted from their residence.

Las Vegas, Nevada

There are a lot of reasons Airbnb hasn't quite been able to crack the Las Vegas market. For one, the Strip and its hotel culture are just too ingrained in the Vegas experience for home rentals off-Strip to pose much competition. But as *Traveler* contributing editor Mark Ellwood found, the city has also put in strict regulations to keep Airbnb at bay. Hosts must register with the city (and those with five-or-more-bedroom homes have to pay a whopping \$1,000 registration fee), overnight guests are limited to 12 or fewer per home or apartment, and no new Airbnb can pop up within 660 feet of any existing listing

Reykjavík, Iceland

Tourism is booming in Iceland, so it makes sense that Airbnb would be, too. However, the practice has been regulated in Reykjavik since early 2017. People can rent out their apartments for up to 90 days per year before needing a hospitality license. They can also earn a maximum of one million Icelandic krona (\$8,785) per year.

Prospective hosts also need to get their Airbnb registered, which requires meeting health and safety regulations. Your host may not list their license number publicly, so ask when you book for their registration—it'll start with "HG" and be followed by nine numbers

New Orleans, Louisiana

Some in the Big Easy have long questioned Airbnb, and the city currently has more than 4,000 listings. In a place where tourists outnumber residents 32 to 1, the City Council voted to ban short-term rentals in the French Quarter in 2016 (save for a small stretch along the Bourbon Street entertainment district), and to limit whole-home rentals to out-of-town guests to 90 days a year. Every host has to register their Airbnb with the NOLA municipal government, so keep an eye out for that license number here, too.

Japan

That's right, the *entirety* of Japan. Nearly 80 percent of the country's Airbnbs were pulled off the site in June 2018, causing confusion among travelers with existing bookings, when Japan's *minpaku*, or home sharing, laws went into effect. Now, "hosts have to register for permission to share their home with the federal government, under the hotel and *ryokan* laws that promote fire and emergency safety. Hosts also won't be able to rent out their homes for more than 180 days a year," *Traveler* reported at the time. Today, listings display a registration code in the description box. If you stay somewhere without registration, you run the risk of your accommodation being yanked at the last minute.

Santa Monica, California

In 2015, Los Angeles's next-door neighbor Santa Monica instituted some of the toughest laws against Airbnb in the country: It mandated that hosts will have to live on the grounds during the renter's stay, register for a business license, and collect the city's 14 percent occupancy tax, no matter the room, hotel, or Airbnb. Look for private rooms and entire guesthouses with registration numbers listed at the end of the Airbnb's description.

Barcelona, Spain

Barcelona requires all Airbnb and short-term rental hosts register with the city, and display their permit numbers online (it begins with HUTB, followed by six numbers). That said, the city has has a moratorium on new licenses since 2014, *Quartz* reports, and is focusing more on cracking down on unregistered, illegal listings than creating new ones. How are those illegal listings identified out of the city's estimated 16,000 Airbnbs? A team of 40 investigators cracks down and levies fines on illegal rental hosts, according to *The Guardian*.

San Francisco, California

Airbnb's home city has some pretty strict rental laws, as hosts have to register for both a Business Registration Certificate and a Short-Term Residential Rental Certificate from the city government, the Airbnb help site states. (That seven-digit registration number starts with STR, and is listed in the rental listing.) You can rent out your entire apartment or home for up to 90 nights a year, or an unlimited number of days if you're renting a private room. Traveling to San Francisco and want to book an Airbnb? Know you'll have to pay an additional 14 percent tourist tax, equal to the city's hotel tax.

Paris, France

The City of Light is one of Airbnb's most popular destinations, with some 65,000 listings in town, according to *Skift*. That said, the city takes a hard line on its policies: hosts can only rent out their flats for 120 days a year, must get written approval from a landlord if they're renting themselves, and have to register with the city. (Check your listing for a license number at the end of the description.) Illegal listings are fined immensely—recently, a Parisian host was forced to pay \$53,800 in fines to her landlord for listing her apartment on Airbnb for the past seven years, *The Telegraph* reports. But it isn't just hosts who feel the pressure of these fines. Paris has levied nearly \$700,000 in fines to Airbnb itself in 2017, *Newsweek* reports.

Charleston, South Carolina

Charleston *used* to have a flat-out ban on Airbnbs and similar rentals—and even had enforcement teams go undercover as tourists to find illegal listings. But as of April 2018, that all-out ban lifted, and was immediately replaced with strict restrictions. The city's listings have been divided up into three categories, according to local newspaper *The Post and Courier*, based on how old or historically important the home is. For instance, Airbnbs in the Old & Historic

Districts must be on the National Register of Historic Places to be rented out. And the rest of Airbnbs on the central Charleston peninsula must be at least 50 years old. In all cases, the host must live on the grounds, so a guest house is fine if your host is across the driveway; private rooms are also approved. Plus, only four adults can stay at a time.

As a traveler, you can tell the legit Airbnbs by their nine-digit registration numbers in the listings' description—but the city is still working on licensing, so talk to your potential host about their permit status before booking

Mallorca, Spain

In April 2018, the local government in Palma de Mallorca banned almost all Airbnbs from the island, Reuters reported. All Airbnb listing in apartment buildings were no longer legal, save for detached homes, as long as they aren't on protected lands or near the airport. Those that make the cut have to register with the municipal government, so look for the "License or registration number" field in the listing's description, which should include a number starting with "TI/." If they don't have this, beware that your reservation may be cancelled if the government uncovers the illegal listing.

New York City, New York

New York City has some of the strictest Airbnb laws in the world. In October 2016, New York Governor Andrew Cuomo signed into law a ban on short-term rentals on home-sharing sites. The fine print: Renting out an entire apartment for a stay of less than 30 days is illegal—and even *advertising* such a rental is illegal, with fines up to \$7,500. Hosts can also only list one home, their home, at a time. Technically this rule *doesn't* apply to single-family homes—which, granted, are few and far between in New York—but they still have an uphill battle, including rezoning and ensuring their occupancy certificates allow rentals. And unlike most cities, there isn't a licensing program just yet—New York City is working to get hosts' data from Airbnb so that they'll know automatically who isn't playing by the rules. One type of stay that's A-OK in the eyes of the Big Apple's government? A private room.

Amsterdam, the Netherlands

For now, Amsterdammers can rent out their entire home or apartment for 60 nights out of the year, plus Airbnb collects a six percent tourist tax on all bookings for the city (just like at hotels). But, as of January 2019, that count will drop in half, to just 30 nights a year. On top of that, Airbnbs can host a max of four adults at a time, so if you've got a bachelorette party of six, you're screwed. To keep track, hosts have to register and report when travelers stay with them through the municipal government. Staying in private room, where the host is also staying in the home or apartment, is a good workaround, as they are exempt from the night counts.

Los Angeles, California

The most recent city to enact strict Airbnb regulations, Los Angeles City Council passed a law in December 2018 that restricts hosts to 120 days of Airbnb-ing, and requires that they register with the city for \$89 every year. Hosts can also only rent out one home—their primary residence where they spend at least six months a year. Airbnb's unique offerings are taking a hit, too. Nontraditional Airbnbs like RVs, trailers, and tents will no longer be permitted, Curbed reports. Those laws apply to all of L.A., so no more airstreams in Venice.

While Airbnb lets travelers do some amazing things—from spending the night in Dublin's Guinness Storehouse to sleeping with sharks—not everyone is enthused about many of its variables, including turning apartments for residents into full time rentals and bringing a revolving door of travelers into previously residential buildings. As cities around the world enact regulations to keep vacation rentals' rapid growth in healthy check, here are 13 places cracking down on Airbnb—and what you need to know if you want to stay in one.

The New York State attorney general believes most Airbnb listings in New York are illegal. It is essential to consult a law and tax professional to help determine the liabilities of your Airbnb listing. Here are some guidelines to keep in mind before listing your space on the website and becoming an Airbnb host:

- The New York State Multiple Dwelling Law, which covers buildings with three or more units, prohibits transient rentals of fewer than 30 days at a time, unless the owner is present for the time a guest is renting.
- Lease agreements for market-rate renters and co-op owners usually prohibit subletting of any type without permission from the landlord or co-op board. For would-be hosts who live in a rent-controlled or rent-stabilized property, there may be restrictions or prohibitions on subleasing, which, if violated, could lead to eviction.
- New York State now has a law targeting the advertising of illegal listings on sites like Airbnb. If a listing is in violation of the multiple dwelling law, an additional penalty of \$1,000 per advertised listing may be imposed on the host.
- What makes nearly all transient units at risk for fines is the failure of hosts to follow the New York City building code. Depending on circumstances, would-be full-time hosts might need to seek a change in zoning or of the occupancy certificate, or officially convert a property from long-term housing to a hotel. Numerous upgrades may be required before rooms could be rented out. Zoning rules are complicated, and changing a building's zoning would probably take a lot more effort and expense than the typical Airbnb host is willing to do.
- Local municipalities require hosts to collect certain taxes from guests, like a hotel occupancy tax. The New York City Department of Finance will help hosts determine which taxes are required to be paid based on individual situations.

SHORT-TERM RENTAL AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: J. Stuart Adams

LONG TITLE

General Description:

This bill prevents a political subdivision from prohibiting the use of a short-term rental website.

Highlighted Provisions:

This bill:

- defines terms; and
- prevents a political subdivision from prohibiting an individual from listing or offering a short-term rental on a short-term rental website.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-8-85.4, Utah Code Annotated 1953

17-50-338, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-8-85.4** is enacted to read:

10-8-85.4. Ordinances regarding short-term rentals – Prohibition on ordinances restricting speech on short-term rental websites.

(1) As used in this section:

(a) "Residential unit" means a residential structure or any portion of a residential structure that is occupied as a residence.

(b) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

(c) "Short-term rental website" means a website that:

(i) allows a person to offer a short-term rental to one or more prospective renters; and

(ii) facilitates the renting of, and payment for, a short-term rental.

(2) Notwithstanding Section 10-9a-501 or Subsection 10-9a-503(1), a legislative body may not:

(a) enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or

(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

Section 2. Section 17-50-338 is enacted to read:

17-50-338. Ordinances regarding short-term rentals – Prohibition on ordinances restricting speech on short-term rental websites.

(1) As used in this section:

(a) "Residential unit" means a residential structure or any portion of a residential structure that is occupied as a residence.

(b) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

(c) "Short-term rental website" means a website that:

(i) allows a person to offer a short-term rental to one or more prospective renters; and

(ii) facilitates the renting of, and payment for, a short-term rental.

(2) Notwithstanding Section 17-27a-501 or Subsection 17-27a-503(1), a legislative

58 body may not:

59 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a
60 short-term rental on a short-term rental website; or

61 (b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge,
62 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term
63 rental on a short-term rental website.

AirBnB Bill Gets Green Light From Utah Legislative Committee

A bill to allow Utah homeowners to use their properties for hotel-style rentals made its way past a legislative committee this week.

The St. George Spectrum reports there was loud opposition from representatives of local governments including elected leaders from St. George and other parts of Washington County.

The House Business and Labor Committee voted 13-1 to pass House Bill 253, sending it on to receive a vote on the House floor.

If approved, HB 253 would allow homeowners to rent out parts of their home and block cities from using sharing websites like Airbnb to identify residents who might be renting rooms.

City officials from St. George and other local governments have lobbied against the legislation, arguing they should have discretion over what they consider to be a zoning issue.

Why Cache Valley for Air BnB?

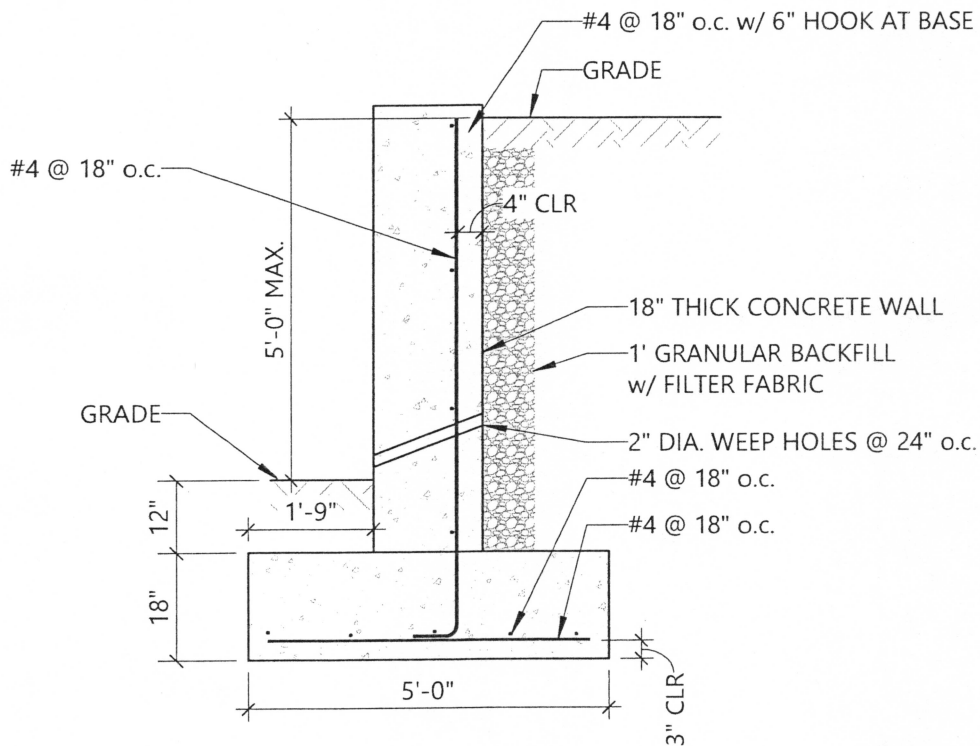
Advertisement for Air BnB I found searching area.
Country Get Away - Close to Logan

• **NO CLEANING FEES** • Country Location, Close To All Amenities: 5 min. to grocery store; restaurants 10 min. to golf course (Birch Creek) 15 min. to USU, Shopping, Entertainment 20 min. to small ski resort (Cherry Peak) Less than one hour to larger ski resort (Beaver Mountain) 80 min. to Bear Lake Recreation Area • Private Apartment • Fully Equipped Kitchen • Safety Gate for Children • Guests Control Temperature

My thought and suggestions:

1. Business License a must.
2. Fine if Business License is not maintained (really high to get people to comply with filling)
3. Strong wording on complaints after certain hours with fee's/fines. "curfews"
4. Provide sufficient parking and needed facilities for cleaning/maintenance staff and customers/air bnb tenants completely and entirely on homeowner's land containing the primary dwelling or an adjacent parcel owned by the homeowner (strict rules on fees and fines for not complying with above. "parking in street or on city easements".)
5. Fines and fees will and can be enforce by city to an tenants breaking/or destroying a home's belonging/property. Including legal cost/Jail time will be enforced by city. or not?
6. Air bnb must be paid in full prior to stay or by the end of stay, unless otherwise discuss with home owner not to exceed 14 days after one has used/vacated property. Fines and fees can be applied. City could or not help enforce however, if city enforces payment prices of total cost will rise due to deliquesce at a price set by city attorney and or city council.

- S101



1 5' MAX. RETAINING WALL SCALE: 3/8" = 1'-0"

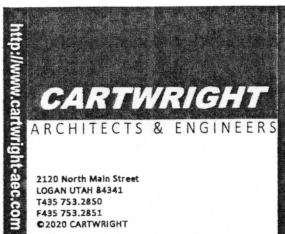
NOTES:

1. COMPRESSIVE STRENGTH OF CONCRETE SHALL BE $F'_C = 3,000$ PSI
2. REINFORCING STEEL SHALL BE ASTM 615 GRADE 60 ($F_Y = 60$ KSI)
3. PREPARE SUBGRADE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.



MEYER RETAINING WALL

565 NORTH 300 EAST
MILLVILLE, UT 84326



PROJECT #	120077
DATE:	8/6/2020
SCALE:	3/8" = 1'-0"
5' MAX. RETAINING WALL	
S103	