

TOQUERVILLE CITY
ORDINANCE 2022.XX



AN ORDINANCE OF THE CITY COUNCIL OF TOQUERVILLE, UTAH, PROVIDING FOR LICENSING OF A PROPERTY MANAGER OF A NIGHTLY RENTAL DEVELOPMENT ALLOWED UNDER A FINAL PLAN IN A DEVELOPMENT WITH A MASTER PLANNED DEVELOPMENT OVERLAY ZONE APPROVAL

RECITALS

1: LICENSE AND OPERATIONAL REQUIREMENTS:

A. *Nightly Rental Development Business License Required:* It is unlawful for any person to keep, conduct, operate, maintain or manage one or more Dwellings in a Nightly Rental Development, as defined in Ordinance No. ____, without a business license. Only one business license will be issued for each Nightly Rental Development area of Master Planned Development Overlay Zone.

B. *License Not Transferable:* A Nightly Rental Development Business License is not transferable between persons or structures. Any person holding such license shall give written notice to the business license official thirty (30) days in advance of any intent to terminate the license or to divest itself of control of the business license. Transfer of 51% or more of the ownership interests of the person holding the business license shall be deemed to have divested the person from control of the business license,.

C. *Transient Room Tax:* All Dwellings in a Nightly Rental Development that are being rented for periods of less than 30 days in any 30-day period shall be subject to the collection of the municipality transient room tax as allowed under Utah Code.

D. *Maintenance And Repair; Owner's Duties:* Each Dwelling in Nightly Rental Development shall be subject to the fit premises requirements of Utah Administrative Code 39-502-1, et. seq.

E. *Garbage Removal:* Garbage shall be removed from the Dwelling Unit and the holder of the Nightly Rental Development Business License and properly disposed of within twenty-four (24) hours of tenants leaving the property.

F. *Sanitation:* Each Dwelling shall be cleaned at least weekly while occupied and in between tenant occupancy. Each Dwelling shall also comply with the requirements for public lodging facility under Utah Administrative Code 39-502-1, et. seq.

G. *Local Property Manager Required:* All Dwellings in a Nightly Rental Development being rented on a short-term basis shall be managed by a single, local property manager. The local property manager shall be available twenty-four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each Dwelling in a Nightly Rental Development being offered for rental on a short-term basis shall have a clearly visible sign within the unit containing

the following information: the name and phone number of the local property manager, and the maximum occupancy of the unit, and the day of garbage pick up.

H. *Owner And Property Manager Responsible:* The owner of the Dwelling and the property manager shall be jointly and severally liable for any violations of this article. Any Dwelling or Nightly Rental Developmentt which is found in violation of this article or any other requirement of this code may be subject to revocation of the business license which allows the right to rental Dwellings in the Nightly Rental Development on a short-term basis.

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