

**Toquerville City**  
**NIGHTLY RENTAL PERMIT**  
Fee: \$400.00



Nightly Rental: The act of leasing a dwelling, or any part thereof, by a person or entity to another for a consecutive period of 30 calendar days or less in exchange for direct or indirect remuneration.

**APPLICATION & SUBMITTAL CHECKLIST**

Name: Mike & Beckie Herring Telephone: 801-427-1502  
Address: 223 N. 2520 W. Provo, UT 84601  
Email: beckie.mike@gmail.com  
Registered Name of Business: South Villa  
Address of Subject Property: 217 W. Terrace Circle Toquerville  
Tax ID of Subject Property: T-TOTE-1 Zone District: \_\_\_\_\_  
Secondary Emergency Contact Name for Business: 801-427-1502  
Secondary Emergency Contact Phone Number: 801-687-0414

**This application shall be accompanied by the following:**

- 1) A vicinity map showing the general location of the application.
- 2) Three (3) copies of a site map showing the following:
  - Property boundaries, dimensions and existing streets
  - Floor Plan of Dwelling (House Plans) - a reduced copy of plan (8 1/2 x 11 if readable, or 11 x 17) if original plans are larger.
  - Off-street parking plan (adequate off-street parking for all residents and guests). There shall be no overnight on-street parking by guests or residents.
- 3) Building elevations for new construction, noting proposed materials and colors. Any modifications should be in the keeping with the residential character of the neighborhood.
- 4) Warranty Deed: (see Affidavit of Property owner attached) showing evidence that the applicant has his/her primary residence within the municipal boundaries of the city and who owns the controlling interest of the residence, or a business entity of which a natural principal person holding a controlling 51% of the entity.
- 5) Applicant will provide a map showing all properties within 300 feet of property boundaries; copies may be acquired (minimal or no charge) from the Washington County Recorder's Office (downstairs) at 197 E. Tabernacle, St George. Applicant will provide addressed and stamped envelopes for each property

owner shown. Toquerville City will provide the letter of notice and map to mail out notice for the Planning Commission (PC) Public Hearing date scheduled for affected residents.

     6) Health Requirements: National, State, or Local Health Certificates (i.e. proof of food handlers permit if food is prepared by owner)

     7) Sign Design Plan: Show dimensions and placement of sign on property.

### Acknowledgement of Requirements

Applicant shall acknowledge each requirement by initializing each standard:

    *One Structure: Each Nightly Rental must occur within and under one roof of a Dwelling and not in a temporary structure.*

    *Maximum Guests: No more than ten (10) occupants per dwelling used for a nightly rental (including the owner and his/her family).*

    *Penalties/Violations/Enforcement/Revocation:*

1. *First violation: Two Hundred Fifty dollars (\$250.00).*
2. *Second violation: One thousand five hundred dollars (\$1,500.00).*
3. *Third violation: Four thousand dollars (\$4,000.00).*
4. *Fourth violation: Nightly Rental Permit automatically revoked.*
5. *Review: Upon the second or subsequent violation of this Chapter and Subsection, there shall be a mandatory review conducted before the City's Planning Commission, who shall have the ability and right to revoke the Nightly Rental Permit in its sole and absolute discretion. Revocation of a Nightly Rental Permit, for any reason, shall result in a minimum twelve (12) month waiting period prior to any new application, which revocation shall run with the land. Upon revocation, there is no guarantee of any future issuance of a Nightly Rental Permit and all applications will be processed under the then current ordinances. Failure to pay a fine within thirty (30) days of its issuance shall constitute grounds for automatic revocation of the owner's Nightly Rental Permit.*
6. *Enforcement: In addition to the fines set forth in Subsection I, all violations of this Chapter and Section shall constitute a Class B misdemeanor and shall be enforced in compliance with Chapter 5 of Toquerville City Code.*
7. *Revocation of Permit: The Nightly Rental Permit may be revoked at any time, upon notice and a hearing conducted by the Planning Commission, should the use of a Dwelling for Nightly Rental become a Nuisance per Title 4, Chapter 1 of the City Code.*

✓ *Annual Renewal of Nightly Rental Permit - Site Approval, Public Hearing: A Nightly Rental Permit has the duration of one year and must be renewed annually. For renewal, an applicant must submit a renewal application in a form set by the City Staff along with an updated site plan and floor plan for the Lot and Dwelling indicating where the Nightly Rental will occur or is limited to. Each renewal application shall be approved, approved with additional conditions or denied by the Planning Commission, after a public hearing.*

✓ *Log: The holder of the Nightly Rental Permit shall maintain and provide, upon request, the Name, Address and Phone Number of all renters. Log shall be provided to Law Enforcement or City Staff for review.*

✓ *Business License Required: Room Tax: Applicant must apply for and obtain a business license pursuant to Title 3, Chapter 1 of this Code and pay the current State Transient Room Tax.*

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Contact the Planning Department for the deadline date for submissions.**

**Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.**

I certify that all information contained herein is accurate, to the best of my knowledge. I certify that I have read, understand, and will comply with the nightly/short term rental regulations listed in the City of Toquerville 10-17-3. I certify the property meets all local, safety, and building code requirements. I acknowledge that prior to using the property as a nightly/short term rental I must obtain all pertinent inspection approvals and pay all fees due. I acknowledge the City has the right to inspect this property. I will notify the City of any changes to the permit. I understand I must keep a current business license and acknowledge this permit is non-transferrable.

\*\*\*\*\*

(Office Use Only)

DATE RECEIVED: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

DATE APPLICATION DEEMED TO BE COMPLETE: \_\_\_\_\_

COMPLETION DETERMINATION MADE BY: \_\_\_\_\_

Signature

PROFESSIONAL FEES AGREEMENT WITH TOQUERVILLE CITY

This agreement is entered into this 14 day of December, 2022, between

J. Mike Herring and Beekie Herring  
(name/s)

of Washington, County of Utah State (hereinafter referred to as "Applicant"), and the City of Toquerville, a municipal corporation of the State of Utah, located in Washington County (hereinafter referred to as the "City"). Subdivider, on behalf of it/himself, its/his heirs, successors and assigns, hereby acknowledges, covenants and agrees that:

- 1) Applicant is aware of the City Code website application page, and shall in all respects comply with the provisions contained therein.
- 2) All on-site and off-site improvements required to be constructed in connection with said application shall be constructed and installed in accordance with current construction requirements and comply with the Toquerville Standards and Specifications.
- 3) In the event that action is required to be taken by Toquerville to enforce, approve, or double check the terms of this agreement, Applicant agrees that it/he shall be liable to pay all such costs and expenses incurred by Toquerville.
- 4) Applicant agrees to pay all fees associated with this application as outlined in the current Land Use Fee Schedule and fees accrued to the City of Toquerville.

DATED this 14 day of December, 2022.

J. Mike Herring  
Applicant

Beekie Herring  
Applicant

\_\_\_\_\_  
City Representative, Title

STATE OF UTAH )  
: ss.  
COUNTY OF WASHINGTON )

On the \_\_\_\_\_ day of \_\_\_\_\_, personally appeared before me, the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same on behalf of the Subdivider.

\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

(Office Use:  
Received by: \_\_\_\_\_

AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )  
 ) :SS  
COUNTY OF )

I (we) Mike & Beanie, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Toquerville City Planning staff have indicated they are available to assist me in making this application.

Mike  
(Property Owner)  
Beanie  
(Property Owner)

Subscribed and sworn to me this 14<sup>TH</sup> day of DECEMBER 2022.



[Signature]  
(Notary Public)

Residing in: PROVO, UTAH

My Commission Expires: 09-08-2024

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_