

Chapter 5-19 Short Term Rentals

5-19-1 Definitions

For purposes of this section, the following terms shall be defined as follows:

1. Owner: An individual who:
 - a. Possesses fifty (50) percent or more ownership in a STR unit; or
 - b. Is a trustor of a family trust which possesses fifty (50) percent or more ownership of a STR unit.
2. Person: An individual, firm, partnership, corporation, association, joint venture, governmental entity or other legal entity, and shall include the plural as well as the singular
3. Renter: A single person or single group of people whose primary residence is at another location and who provide compensation, in any form, in exchange for occupancy in a short-term rental unit
4. Short-term rental: Use of a dwelling for temporary sojourn or transient visit for a period of less than 30 consecutive days by a renter.
5. Short-term rental unit: The individual house, apartment, condominium, townhome, or other dwelling being used for short-term rental; and shall include the front, back, and side yards and any additional structures found therein
6. STR: Short-term rental
7. STRL: Short-term rental business license

5-19-2 Short-term Rental Prohibited

No person shall lease, or allow to be leased, any dwelling for a lease term less than 30 days without first obtaining an STRL.

5-19-3 Exceptions

1. Rentals of 30 or more consecutive days in duration in any of the City's residential zoning districts shall not be subject to the provisions of this section.
2. Bed and Breakfasts, hotels, and motels, as described and regulated in the Sandy Land Development Code and the Revised Ordinances of Sandy City, shall not be subject to the provisions of this section.

5-19-4 Short Term Rental Business License Application and Renewal

A STRL is valid for only one STR unit. No more than 1 STRL may be granted to any person. A person may be granted a STRL through the following process:

1. Prior to applying for a STRL, applicant must first have been granted a STR special use approval pursuant to the Sandy City Land Development Code.
2. Complete an application on a form as provided by Sandy City.
3. A STRL is valid for up to one year and will expire January 1st of each year. A STR owner must contact the Community Development Department annually, prior to the expiration of an active STRL, to renew the license.

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4. The Business license official shall verify that the applicant has incurred no more than the maximum number of allowed violations over the 12-month period immediately preceding the request for a new STRL or a STRL renewal.
5. Completion of all required inspections
6. Proof of payment of all required taxes and fees shall be submitted and verified.
7. Copy of the appropriate sales tax license issued by the State of Utah shall be submitted and verified.
8. For any renewal the STR owner must provide verification that the rental nights per year, maximum consecutive rental nights, and rental vacancy period didn't exceed the limits described in the Sandy Land Development Code and Revised Ordinances of Sandy City for the calendar year immediately preceding the application for renewal.
9. Provide any other documents as required by the business license official.

5-19-5 Inspections

Prior to being granted an STRL, the owner shall schedule all inspections requested by the City. An inspection shall be required by the building and/or fire and/or code enforcement officials at the time of STRL application and intermittently as deemed necessary by the Business License Official. Officials will:

1. Ensure that the STR unit complies with the information contained in the application and with the requirements of this section.
2. Ensure that the STR unit has a working carbon monoxide detector on each floor.
3. Ensure that the STR unit has a working smoke alarm in each sleeping area with a minimum of one smoke alarm on each floor.

5-19-6 Grounds for Denial, Suspension or Revocation of a STRL

1. Granting of a license under the provisions of this ordinance shall not be considered or deemed a right and, if granted, insures to the benefit of the applicant only as a privilege temporarily granted. The City reserves the right to deny any application for a STRL. If the business license official finds that any applicant does not meet the requirements of or is disqualified under any section of this chapter, or if it is found that the application is deficient in any way, or any of the facts provided thereon are false or in question, the application shall be denied or the STRL revoked.
2. Any STRL requested or granted pursuant to this section may be denied, suspended, or revoked by the Business License official pursuant to procedures established in this chapter for the following:
 - a. Violation by the applicant, occupants, or employees of any other Sandy City, Salt Lake County, State or Federal laws governing the operation of STR's.
 - b. Applicant supplied false or misleading information when applying for an STRL or STR special use approval; or the applicant withheld relevant information on any application for any use or suffered or caused another to furnish or withhold such information on his or her behalf.
 - c. Any three violations by the STR owner or renter(s), as described in the Sandy Land Development Code and the revised ordinances of Sandy City in any 12-month period.

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- d. The STR unit no longer complies with the standards, qualifications or conditions necessary to obtain or maintain a STR special use approval.
 - e. The applicant has failed to pay applicable taxes, fees and fines described herein.
 - f. The applicant has refused to allow authorized representatives of the City to make an inspection or has interfered with such representatives while in the performance of their duty in making such inspection.
 - g. Upon good cause, as indicated and requested by any of the Sandy City, Salt Lake County, Utah State, or Federal agencies required to supply consent for a STRL to be issued.
3. The City shall give at least 14 days prior written notice, mailed or otherwise delivered to the mailing address listed on the STRL application, of the alleged violation or the manner in which the STR unit and/or operator no longer complies with the requirements for the STRL with the opportunity to correct the problem during said time. The 14-day notice period may be waived or reduced if there is a risk to public health, safety or welfare. Any substantiated, unresolved complaint, regarding the violation of standards, qualifications or application requirements or any of the above violations, which is received and verified by the City, against any STRL, will require that any approvals, permits, and licenses be revoked and the STR cease to operate.

15-19-7 Process for Appeal of Denied, Suspended, or Revoked STRL

1. In the event a STRL application submitted pursuant to this Chapter is denied or a license previously issued is suspended or revoked, the applicant shall be given written notice as to the reasons for such denial, suspension or revocation. The applicant may then submit a written appeal, within 14 days of mailing of notice of denial, suspension or revocation, to the Sandy City Board of Adjustment.
2. The appellant must allege that there is an error in the decision or determination made by the City and the factual and legal basis for such allegation. The appellant has the burden of proving that the City erred. In order to satisfy its burden, the appellant may submit written material, graphic representations and, if a hearing is held, oral testimony, to which the City will have the opportunity to respond. The Board of Adjustment shall review the information submitted by the appellant and the City and may hold a hearing therefore. The Board of Adjustment shall then issue a written decision and may make written findings. Written notice shall be given to the appellant within thirty (30) days of the Board of Adjustments decision.
3. The Board of Adjustment will review the decision of the City to determine if there is a rational basis for the decision. If there is a rational basis for the decision, the Board of Adjustment shall uphold the decision of the City.
4. If the appellant so desires, they may further appeal the decision of the Board of Adjustment to district court within thirty (30) days of the Board of Adjustment's decision. In the appeal to district court, the appellant may only allege that the Board's decision was arbitrary, capricious, or illegal.
5. If a STRL is denied, suspended or revoked, the appellant may reapply for a new STRL after the period of suspension or revocation of 24 months, provided there is complete conformance with all of the current STR regulations, and the applicant hasn't been banned from receiving a STR special use approval and a STRL.

15-19-8 Taxes and Fees.

STR owners shall pay all taxes and fees relating to the STR, including without limitation the special use approval fee(s), the business license fee(s), Property tax, sales tax, and the Utah

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transient room tax. The amount of the fees required to obtain the licenses and permits described herein shall be established by resolution of the City Council.

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