



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Agenda

City Council

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, April 17, 2018

5:15 PM

Council Chambers

Web address to view complete packet: <http://sandyutah.legistar.com>

The Sandy City Council has adopted Rules of Procedure which are available at the rear of the Council Chambers and online at: <http://sandy.utah.gov/government/city-council/procedure-guidelines.html>. Consent Calendar items have been previously considered or are otherwise routine in nature and will be considered in a single motion unless a Council Member wishes to discuss an item separately. In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (801) 568-7141.

*For the April 17, 2018 City Council Meeting, the Chair will allow public comment for each item listed on the agenda at the time the item is heard. Comments on items or issues not listed on the agenda will be heard during the Citizen Comment portion of the meeting. Public comments may not exceed 3 minutes per speaker, per agenda item.

4:30 Dinner

5:15 Council Meeting

Roll Call

Opening Remarks / Prayer / Pledge of Allegiance

Agenda Planning Calendar Review

Council Member Business

Council Office Director's Report

Mayor's Report

CAO Report

Citizen Comments

Citizen comments is for public comment on issues not listed on the agenda.

Special Recognition

1. [18-120](#) Sandy City Fire Department's Badge Pinning/Swearing In Ceremony for recent promotions.
2. [18-119](#) Legal Department recommending Special Recognition for Josh Chandler

Consent Calendar

3. [18-129](#) Approval of the April 10, 2018 Minutes.

Attachments: [April 10, 2018 Minutes.pdf](#)

Council Items

4. [18-132](#) Council office recommending a Canyons School District Safety presentation
5. [18-133](#) Council office recommending a presentation on the Little Cottonwood Canyon Environmental Impact Study
6. [18-136](#) City Council Office recommending adoption of the infrastructure stewardship policy.

Attachments: [Draft Infrastructure Stewardship Policy](#)

7. [17-100](#) City Council Office recommending the Council discuss short term rentals.

Attachments: [April 17, 2018 STR Process and Calendar](#)
[April 17, 2018 Draft STR language for Title 15A](#)
[April 17, 2018 Redline draft STR language for Title 15A](#)
[April 17, 2018 Draft STR language for Title 5](#)
[April 17, 2018 Redline draft STR language for Title 5](#)
[April 17, 2018 McCandless STR Memo](#)

7:05 Public Hearing(s)

8. [18-110](#) Finance Department recommending the City Council adopt Resolution #18-17C tentatively adopting its annual budget for FY 2019 subject to further public hearing and review.

Attachments: [18-17C tentative 2019 budget](#)

Adjournment



Staff Report

File #: 18-120, **Version:** 1

Date: 4/17/2018

Agenda Item Title:

Sandy City Fire Department's Badge Pinning/Swearing In Ceremony for recent promotions.

Presenter:

Chief Bruce Cline

Description/Background:

Sandy City Fire Department's Badge Pinning/Swearing In Ceremony for recent promotions of Battalion Chief Ryan McConaghie, Captain/Paramedic Howard Mendes and Engineer/Paramedic Robert Friel.

Fiscal Impact:

Further action to be taken:

Recommended Action and/or Suggested Motion:



Staff Report

File #: 18-119, **Version:** 1

Date: 4/17/2018

Agenda Item Title:

Legal Department recommending Special Recognition for Josh Chandler

Presenter: Bob Thompson

Description/Background:

Josh Chandler was selected as one of the 2018 Utah Legal Elite in the Government Lawyers category.

We have a plaque to present Josh with.

Bob Thompson will present Josh with the plaque.



Staff Report

File #: 18-129, **Version:** 1

Date: 4/17/2018

Approval of the April 10, 2018 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

10000 Centennial Parkway
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Meeting Minutes

City Council

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, April 10, 2018

5:15 PM

Council Chambers

5:15 Council Tour

1. [18-118](#) Public Works Department Recommending the City Council tour the Waste Management Materials Reclamation Facility on 8652 S. 4000 W. West Jordan, UT 84088.

The City Council and Members of the Administration participated in a tour of the Waste Management Materials Reclamation Facility on 8652 S. 4000 W. West Jordan Utah.

7:15 Council Meeting

Roll Call

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Assistant CAO Shane Pace
Assistant CAO Korban Lee
City Attorney Bob Thompson
Assistant Community Development Director Jared Gerber
Fire Chief Bruce Cline
Fire Marshall Robert DeKorver
Parks & Recreation Director Scott Earl
Deputy Police Chief Bill O'Neil
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach
Assistant Public Works Director Paul Browning

Present: 7 - Council Member Brooke Christensen
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Zach Robinson
Council Member Linda Martinez Saville

Opening Remarks / Prayer / Pledge of Allegiance

Chairwoman Linda Martinez-Saville welcomed all those in attendance.

Jared Holladay, Boy Scout Troop 715, offered the opening prayer.

Kayden Cressal, Boy Scout Troop 715, led the audience in the pledge.

Agenda Planning Calendar Review

No Report.

Council Member Business

Chris McCandless presented a flyer on the upcoming Utah Golden Spoke Bike Ride from Ogden to Provo.

Brooke Christensen reminded everyone of the Town Hall Meeting scheduled for tomorrow evening, Wednesday, April 11, 2018, 6:00 p.m. at Bicentennial Park.

Council Office Director's Report

Mike Applegarth noted that the Council implemented their agenda management system two years ago this evening. The Salt Lake City Council will join the Council Office on Friday to run the agenda packet and learn how the system works. He reminded the Council of the ground breaking ceremony for Dry Creek, and commented on the success of Citizen Academy.

Mayor's Report

No Report.

CAO Report

Matt Huish invited Scott Earl and Mike Gladbach to brief the Council on projects that are being funded through grant monies.

Council questions followed.

Chief Cline reported on Dispatch Week, and invited Council Members who may be interested to join the Fire Ops 101 this Saturday.

Robert DeKorver reported on the final certificate of occupancy for Hale Center Theater.

Citizen Comments

Bruce Blanchard, resident, spoke regarding the City budget revenues, sales tax, property

tax, and water fees.

Colette Engle, resident, spoke for and on behalf of Bill Bobeng, a patient of hers who was ill and unable to attend tonight's meeting. She spoke regarding the poor condition of two trails and a school path. Mr. Bobeng's only form of transportation is in his wheelchair and on Trax.

Scott Earl addressed her concerns and apologized for the condition of the trails and pathway. He explained the condition of the trails and repair process. He stated that the Parks Department would fix the trails.

Council questions followed.

Steve Van Maren, resident, spoke on the new 911 answering system (VECC) that will be implemented.

Citizen comments is for public comment on issues not listed on the agenda.

Special Recognition

2. [18-095](#) City Council recommending Special Recognition to Treven Cole

Steve Fairbanks along with Mayor Bradburn presented a resolution to Treven Cole commending him for his accomplishments as a special Olympian, his volunteer service, and the lives that he has and continues to influence.

3. [18-109](#) Parks and Recreation Department presenting annual Arbor Day proclamation.

Attachments: [APRIL 10 Arbor Day Proclamation 2018](#)

Mayor Bradburn read the Arbor Day Proclamation into the record.

A motion was made by Steve Fairbanks, seconded by Chris McCandless proclaiming May 19, 2018 as Arbor Day in Sandy Utah and to encourage all residents and visitors to become active in the promoting and preservation of trees... The motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

Consent Calendar

Steve Fairbanks made a motion seconded by Chris McCandless to adopt the Consent Calendar....the motion carried by the following vote:

Yes: 6 - Brooke Christensen
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

No: 1 - Maren Barker

4. [18-111](#) Approval of the March 27, 2018 Minutes.

Attachments: [March 27, 2018 Minutes.pdf](#)

5. [18-116](#) Approval of the April 3, 2018 Minutes.

Attachments: [April 3, 2018 Minutes.pdf](#)

6. [18-114](#) City Council Office recommending the Council adopt Resolution #18-18C canceling the April 24, 2018 City Council Meeting

Attachments: [APRIL 10 Resolution 18-18c](#)

Council Items

7. [18-113](#) Waste Management presentation on recycling

Attachments: [APRIL 10 WM Annual Report](#)

Beth Holbrook from Waste Management presented the annual recycling report for 2017. She expressed appreciation to the Council for participating in a tour at their Materials Reclamation Facility (MRF).

Comments:

Bruce Blanchard jokingly commented on the wind always blowing on his recycle pick up day.

----- asked if it was true that shredded paper could not be recycled.

Beth Holbrook replied that shredded paper could not be recycled.

Council questions followed.

8. [18-112](#) Administration recommending the Council discuss glass recycling

Shane Pace introduced the Administration's recommendation to discuss glass recycling and the basic features of the program.

Council questions followed.

Aaron Kaiser spoke on the process for recycled glass and the sustainability of a glass recycling program.

Council discussion and questions followed.

Comments:

Steve Van Maren felt that glass recycling was a good idea. He felt that more containers should be placed in other locations throughout the City.

More Council discussion followed.

9. [18-080](#) Sandy City Fire Department recommends that the City Council adopts the proposed fireworks restriction map.

Attachments: [HB 38 Council Power Point Presentation](#)
[HB 0038 Fireworks Restrictions](#)

Robert DeKorver led the presentation and discussion on Representative Dunnigan's House Bill 38, Fireworks Law, that was adopted to address concerns of citizens dealing with fireworks.

Council discussion followed.

Comments:

Diana Van Eiert spoke regarding her concerns with fireworks around Dimple Dell and vacant lots in the City.

Zach Robinson read an e-mail from Monica Zoltanski, Dimple Dell Preservation, into the record.

10. [18-117](#) Council Member Barker requesting discussion and recommending the City Council initiate a proposed code amendment to the Land Development Code, Chapter 15A-20-07 Planned Unit Development (PUD).

Attachments: [4-3-18 Proposed Amendment to Chapter 15A-20-07](#)

Maren Barker led the discussion on proposals for amenities for PUD developments.

Council discussion followed.

Mayor Bradburn would like to be able to have more flexibility with developers and not so many restrictions.

Steve Fairbanks made a motion seconded by Chris McCandless to table the Code Amendment for PUDs and ask the Administration to sit down with Ms. Barker and address questions and parking concerns and bring back a proposal that would be appropriate....the motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson

No: 1 - Linda Martinez Saville

11. [18-115](#) Public Works Department Recommending the City Council adopt Resolution #18-14C

Attachments: [April 10 Resolution 18-14c](#)

Mike Gladbach explained the adoption of the Interlocal Cooperation Agreement.

Comments:

Steve Van Maren was going to oppose because an exhibit was not included in the packet. Since Mr. Gladbach handed him a copy of the exhibit, he would support adoption of the Resolution.

A motion was made by Chris McCandless seconded by Brooke Christensen to adopt Resolution #18-14C authorizing the execution of an Interlocal Cooperation Agreement between Sandy Suburban Improvement District and Sandy City relating to improvements to 8800 South Pipeline from State Street to Center Street (150 East)...the motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

Adjournment

The meeting adjourned at approximately 10:05 p.m. by Steve Fairbanks. The next scheduled meeting of the City Council is Tuesday, April 17, 2018, at 7:00 p.m.

Linda Martinez-Saville, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



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Staff Report

File #: 18-132, **Version:** 1

Date: 4/17/2018

Agenda Item Title:

Council office recommending a Canyons School District Safety presentation

Presenter: Susan Edwards



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Staff Report

File #: 18-133, **Version:** 1

Date: 4/17/2018

Agenda Item Title:

Council office recommending a presentation on the Little Cottonwood Canyon Environmental Impact Study

Presenter: Brianna Binnenbose



Staff Report

File #: 18-136, **Version:** 1

Date: 4/17/2018

Agenda Item Title:

City Council Office recommending adoption of the infrastructure stewardship policy.

Presenter:

Mike Applegarth

Description/Background:

The policy was presented to the Council in the fall of 2016. While appearing on the October 25, 2016, there is no record of its passage despite the recollection of Council and Administrative staff that the Council received it favorably and likely voted for its adoption. In fact, Administration has been working to implement the policy. Due to the omission in the record for the meeting on which this item last appears, the Council Office recommends the Council take a vote to formally adopt the policy.

Recommended Action and/or Suggested Motion:

Motion to adopt infrastructure stewardship policy.

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: New Policy

Revision: A - draft

Chapter:

Section:

Date Council Approved:

SUBJECT: Infrastructure Stewardship

BACKGROUND:

Sandy City has a significant investment in capital assets and infrastructure. It takes its stewardship of the public assets seriously and desires to maintain them in a condition that provides a benefit to its businesses and residents in an improved quality of life.

The City provides financial and other information according to standards promulgated by the Government Accounting Standards Board (GASB). GASB 34 – Basic Financial Statements provides a framework for managing the City's infrastructure stewardship. Because the City has some flexibility in classifying and reporting infrastructure assets, this framework has been used mainly for surface transportation infrastructure (roads, sidewalks, street signs, etc.) The City Council sees values in extending the application of this framework to all infrastructure investments the City manages. By doing so, the City Council believes information will be made available that its citizens, City administration, itself (the City Council) and interested outside parties will find useful for decision-making, and will demonstrate the City's appropriate discharge of its stewardship duties with respect to the infrastructure assets.

POLICY:

1. Regardless of their current treatment for financial statement reporting purposes, City Administration shall implement the Modified Approach for capital asset reporting as described in GASB 34. Specifically, each fund or department with capital asset responsibilities shall
 - a. Develop an inventory of its infrastructure assets and categorize them in a manner that facilitates meaningful condition assessments;
 - b. Develop condition assessment parameters and criteria for determining "percent good";
 - c. Develop condition maintenance standard(s) that may be implemented as policy;
 - d. Develop annual estimates of the amount necessary to maintain the capital assets at the policy condition level, or to raise the condition level if necessary.
2. The condition assessments and maintenance estimates shall be incorporated into the City's budget document by the second budget year after adoption of this policy.



Staff Report

File #: 17-100, **Version:** 9

Date: 4/17/2018

Agenda Item Title:

City Council Office recommending the Council discuss short term rentals.

Presenter: Dustin Fratto

Description/Background:

This is a continuation of the Council short term rentals discussion from March 27, 2018.

Staff has made the necessary changes to the draft STR language based upon the direction given by the Council on March 27th. Staff recommends that the Council move this language forward through an official process that will include review by the Community Development Department, the Attorney's Office, and the Planning Commission where an initial public hearing will be held.

Further action to be taken:

Prior to adoption the attached STR draft language will need to go through an official process that will include further review by administrative staff, review by the Planning Commission, and review by the public through public hearings.

Recommended Action and/or Suggested Motion:

Motion directing staff to begin moving the attached draft STR language through the standard public process for code amendments which will include further review by administrative staff, initial review by the Planning Commission, and review by the public through the necessary public hearings.

STR Ordinance Calendar

3/14/17: Council Person McCandless proposed Sandy begin research on possible STR regulations

3/21/17: Rep. John Knotwell spoke to the Council regarding possible STR legislation at the State level

4/25/17: STR matrix presented to Council

5/9/17: STR critical policies outline presented to Council

5/10/17: STR policy survey sent to the Council

5/23/17: Initial STR draft presented to the Council

5/31/17: Council and Community Development staff review

6/14/17: Council and Community Development staff review

7/6/17: STR working group review

7/13/17: Council and Attorney staff STR review

7/20/17: STR working group driving tour of STR's

8/21/17: Council and Community Development staff STR review

8/28/17: STR working group review

8/31/17: Council and Community Development staff STR review

9/20/17: Council staff attends live STR webinar with Host Compliance

10/3/17: Council and Community Development staff STR review

10/11/17: STR working group review

10/25/17: Council and Community Development staff STR review

11/6/17: Council and Community Development staff meets with Host Compliance

11/16/17: Council and Attorney staff STR review

11/28/17: Council and Community Development staff STR review

12/6/17: STR working group review

12/12/17: STR second draft presented to Council

12/13/17: Council staff meeting with STR Helper

12/21/17: STR draft meeting and discussion with Council Member Saville

STR Ordinance Calendar

1/4/18: STR draft meeting and discussion with Council Member Christensen

1/9/18: STR draft meeting and discussion with Council Member Barker

1/23/18: Council STR workshop

2/12/18: Council staff and GIS staff meets to determine potential geographic constraints for STR's

2/12/18: Council staff, Fire Department, and Attorney's Office review STR fire inspections

2/13/18: Council staff and Community Development staff review Council questions and concerns from January 23rd work session

3/6/18: Council STR workshop (TABLED)

3/8/18: City Attorney's Office provides memo on STR's to Council Staff

3/14/18: Council staff, Legal Staff, Assistant CAO, and Community Development Staff review City Attorney's memo

3/14/18: Council staff briefs administration on STR language

3/15/18: Council staff and City Attorney meet to review changes to proposed STR language

3/16/18: Updated STR draft language sent to City Attorney, CAO, and Community Development

3/20/18: Council staff and City Attorney meet to review and edit proposed STR language

3/21/18: Council staff receives position statement Mayor Bradburn

3/27/18: Council STR workshop

3/30/18: Council staff, City Attorney, and Community Development staff meet to discuss Council's recommended changes to the draft STR language as presented on March 27

4/9/18: Council Staff and Community Development Director meet to discuss STR draft language

4/17/18: Council adoption of initial draft STR language to be moved through the standard public process

Chapter 15A-11-25 Short-term Rentals

15A-11-25 Short-term Rentals.....	63
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- A. Purpose
- B. Definitions
- C. Short-term Rental Prohibited
- D. Exceptions
- E. Where Permitted
- F. Special Use Approval
- G. Limit on number of STR's
- H. Owner Occupancy Requirement
- I. Noticing and Posting Requirements
- J. Occupancy Requirements
- K. Parking Requirements
- L. Property Maintenance Requirements
- M. Violations
- N. Enforcement and Fines
- O. Appeal

Chapter 15A-11-25 Short-term Rentals

A. **Purpose.** To regulate short-term rentals in Sandy City in order to:

1. Protect the safety and general welfare of Sandy residents.
2. Preserve the residential character of Sandy neighborhoods.
3. Promote and preserve affordable housing in Sandy City.

B. **Definitions.** For the purposes of this section, the following terms shall be defined as:

1. External Complaint: A complaint concerning a STR from any person other than the renter of the STR unit being complained about.
2. Front door: The main exterior door that allows entrance to and from a short-term rental unit.
3. Maximum Occupancy: The highest number of individuals permitted to occupy a short-term rental unit at any time.
4. 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.
5. Primary Residence: The place where an individual resides for at least 183 days per year, and which has the same address as the address shown on the person's:
 - a. Most recent state and federal tax returns.
 - b. Current driver license or other state issued identification.
 - c. Signed Affidavit of Understanding swearing primary residency.
6. 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.
7. 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.
8. 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
9. STR: Short-term rental.
10. STRL: Short-term rental business license.

C. **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 STR special use approval.

D. **Exceptions.**

1. Rentals of 30 or more consecutive days 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.

E. **Where Permitted.** STR's are a special use permitted for any existing legal residential use.

Chapter 15A-11-25 Short-term Rentals

- F. **Special Use Approval.** The owner shall obtain a special use approval from the Community Development Department. A STR must adhere to all requirements found in the Sandy Land Development Code and the Revised Ordinances of Sandy City. Prior to receiving an STR special use approval the owner shall complete the following for the proposed STR unit:
1. An application on a form as provided by Sandy City
 2. A detailed written description or a drawing of an off-street parking plan as described in this section.
 3. A detailed written description or drawing of the STR unit that identifies the use of each room.
 4. Provide all required documents identifying the owner of the STR unit and proof of primary residence.
 5. Provide proof that no existing private covenants, conditions, or restriction related to STR's prohibit for the proposed STR unit.
 6. Provide 24 hours/day, 365 days/year contact information of the owner who shall be available by telephone within one hour of any external complaint.
 7. Pay all fee(s) established by the City Council.
- G. **Limit on Number of STR's.** The total number of STR special use approvals issued within Sandy City shall be limited as follows:
1. The maximum number of STR special use approvals shall be calculated for each Community within Sandy City.
 - i. Each Community shall have a minimum base of 2 STR approvals.
 - ii. Each Community shall have a maximum of 2 approvals plus 1 approval for every 100 households.
 2. The total number of available approvals shall be recalculated biennially based on an estimated number of households within Sandy City derived by the Community Development Department.
 - i. Apartments shall not be included when calculating the estimated number of households.
 3. If a complete application meeting all other requirements for approval is received after the maximum number of approvals has been issued for the community the proposed STR unit is located within, the application shall be placed on a waiting list in order of the date of receipt of a completed application. This list shall be reviewed on an annual basis. No fees will be due until a special use approval becomes available. A complete application shall include completion of all requirements of subsection F above.
- H. **Owner Occupancy Requirement.** The owner of a STR must reside at the STR unit as their primary residence.
1. An individual shall prove ownership of a STR unit as evidenced by one of the following:
 - a. Deed listing the individual as the owner or trustor of the family trust.
 - b. Deed of Trust listing the individual as the owner or trustor of the family trust.
 - c. Documents for any loan presently applicable to the STR unit where the individual is listed as a primary borrower or trustor of the family trust.
 2. To establish that the STR unit is the owners' primary residence, the owner agrees to provide the following documentation:

Chapter 15A-11-25 Short-term Rentals

- a. One copy each of the owners most recent state and federal tax returns both listing the proposed STR unit as the owner's primary residence.
- b. Current driver license or other state issued identification listing the address of the STR unit as the address of the owner.
- c. A signed Affidavit of Understanding swearing that the proposed STR unit is the primary residence of the owner.

I. Noticing and Posting Requirements.

1. One nameplate sign that includes the name and the 24/7 contact information for the owner must be posted on the exterior side of the STR units main entrance.
2. An informational packet must be posted in a highly visible place within the common area of the STR unit, to include:
 - a. City issued STRL.
 - b. 24/7 owner contact information.
 - c. Parking requirements.
 - d. Maximum occupancy.
 - e. The noise ordinance of the Revised Ordinances of Sandy City.
 - f. Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up.
 - g. Contact information for the Sandy City Police and Fire Departments.
 - h. Contact information for Sandy City Hall.
 - i. Any other appropriate requirements as specified by the Community Development Director, or his designee.

J. Occupancy Requirements. A STR unit shall not be occupied by more than the maximum occupancy as permitted by the special use approval.

1. The maximum occupancy, shall be no more than: (1) Eight related people or; (2) Four unrelated people.
2. A STR unit shall not be rented to more than one renter at any given time, and the owner shall not subdivide and rent out the STR unit to multiple renters at the same time.
3. A STR unit with a valid accessory apartment conditional use permit may be rented for up to 365 nights per year.
 - a. The owner may not reside in the STR unit while it is occupied by a renter.
4. A STR unit without a valid accessory apartment conditional use permit shall not be rented for more than 182 nights per year.
 - a. The owner may reside in the STR unit while it is occupied by a renter and the maximum occupancy shall not include the owner.
 - b. The STR unit shall be rented for a minimum of 1 night and a maximum of 10 consecutive nights.
 - c. There must be a renter vacancy period of 3 consecutive nights between each rental.

K. Parking Requirements. The owner shall ensure compliance to the approved off-street parking plan.

1. Parking shall be limited to the garage, driveway, and dedicated parking spots of the STR unit unless other off-street, improved, hard-surface parking areas are included in the off-street

Chapter 15A-11-25 Short-term Rentals

parking plan, approved by the Community Development Department, and included with the special use approval.

- L. **Property Maintenance Requirements.** All short-term rentals shall adhere to the Revised Ordinances of Sandy City, including, but not limited to:
1. Maintenance. Owners must adhere to the Property Maintenance chapter of the Revised Ordinances of Sandy City including, but not limited to, requirements for weed abatement, landscaping, garbage removal, structure maintenance, and fence/wall maintenance.
 2. Snow Removal. Owners shall remove all snow from the sidewalks of the STR unit within 24 hours after snowfall in accordance with the Revised Ordinances of Sandy City.
 3. Noise and Nuisance Control. Owners shall ensure that renters adhere to the noise control chapter of the Revised Ordinances of Sandy City. Should a renter violate the noise control chapter more than once in any given 72-hour period they shall be immediately evicted from the STR unit by the owner.
 4. Response time. An owner shall respond to any external complaint within one hour of receiving it. If the owner is unreachable after 3 attempted contacts by Sandy City, a notice of violation will be issued.
- M. **Violations.** It shall be a violation for any person to operate an STR:
1. Without first obtaining a special use approval and a STR Business License; or
 2. That is not in compliance with the requirements of this chapter, the revised ordinances of Sandy City, or the Sandy City Land Development Code.
- N. **Enforcement and Fines.** Upon a determination that a violation exists, the Community Development Director or his/her designee, will contact the owner requiring such owner to halt, eradicate, destroy, remove, or otherwise cure the violation within 48 hours, or such later time the Director or his designee may determine.
1. Each day that a violation occurs or continues is a separate violation
 2. For any violation of this section the issuing officer may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
 - a. For the first violation within any 12-month period the penalty shall be \$500.
 - b. For a second violation within any 12-month period, the penalty shall be \$750.
 - c. For a third violation within any 12-month period the penalty shall be \$1,000 and revocation of the STRL and special use approval. The owner shall be ineligible for a STR special use approval and a STRL for a period of two years from the date of the third notice of violation.
 - d. For any violation within any 12-month period following the third violation the penalty shall be \$1,000 and the STR owner shall be banned from receiving a STR special use approval and a STRL.
- O. **Appeal.** Denial, suspension, or revocation of STR special use approval may be appealed to the Board of Adjustment in accordance with the provisions of this title.

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A. **Purpose.** To regulate short-term rentals in Sandy City in order to:

1. Protect the safety and general welfare of Sandy residents.
2. Preserve the residential character of Sandy neighborhoods.
3. Promote and preserve affordable housing ~~for in Sandy City residents.~~

B. **Definitions.** For the purposes of this section, the following terms shall be defined as:

1. External Complaint: A complaint concerning a STR from any person other than the renter of the STR unit being complained about.
2. Front door: The main exterior door that allows entrance to and from a short-term rental unit.
3. Maximum Occupancy: The highest number of **individuals** permitted to occupy a short-term rental unit at any time.
4. 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.
5. Primary Residence: The place where an individual resides for at least 183 days per year, and which has the same address as the address shown on the person's:
 - a. Most recent state and federal tax returns.
 - b. Current driver license or other state issued identification.
 - c. Signed Affidavit of Understanding swearing primary residency.
6. Renter~~(s)~~: 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.
7. 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.
8. 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
9. STR: Short-term rental.
10. STRL: Short-term rental business license.

C. **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 STR special use approval.

D. **Exceptions.**

1. Rentals of ~~more than 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.

E. **Where Permitted.** STR's are a special use permitted for any existing legal residential use.

Chapter 15A-11-25 Short-term Rentals

- F. **Special Use Approval.** The owner shall obtain a special use approval from the Community Development Department. A STR must adhere to all requirements found in the Sandy Land Development Code and the Revised Ordinances of Sandy City. Prior to receiving an STR special use approval the owner shall complete the following for the proposed STR unit:
1. An application on a form as provided by Sandy City
 2. A detailed written description or a drawing of an off-street parking plan as described in this section.
 3. A detailed written description or drawing of the STR unit that identifies the use of each room.
 4. Provide all required documents identifying the owner of the STR unit and proof of primary residence.
 5. Provide proof that no existing private covenants, conditions, or restriction related to STR's prohibit for the proposed STR unit.
 - ~~6. Schedule and complete all required inspections as required by the City.~~
 7. Provide 24 hours/day, 365 days/year contact information of the owner who shall be available by telephone within one hour of any external complaint.
 8. Pay all fee(s) established by the City Council.
- ~~G. **Inspections.** As a condition of STR special use approval, the owner shall schedule all inspections requested by the City. An inspection shall be required by the building, fire, and/or code enforcement officials at the time of special use approval application and intermittently as deemed necessary by the Community Development Department. Officials will:~~
- ~~1. Ensure that the STR unit complies with the information contained in the application and with the requirements of this section.~~
 - ~~2. Determine the number of available parking spots at the STR unit.~~
 - ~~3. Determine the number of available bedrooms within the STR unit.~~
 - ~~4. Determine the maximum occupancy of the STR unit.~~
- H. **Limit on Number of STR's.** The total number of STR special use approvals issued within Sandy City shall be limited as follows:
1. The maximum number of STR special use approvals shall be calculated for each Community within Sandy City.
 - i. Each Community shall have a minimum base of 2 STR approvals.
 - ii. Each Community shall have a maximum of 2 approvals plus 1 approval for every 100 households.
 2. The total number of available approvals shall be recalculated biennially based on an estimated number of households within Sandy City derived by the Community Development Department.
 - i. Apartments shall not be included when calculating the estimated number of households.
 3. If a complete application meeting all other requirements for approval is received after the maximum number of approvals has been issued for the community the proposed STR unit is located within, the application shall be placed on a waiting list in order of the date of receipt of a completed application. This list shall be reviewed on an annual basis. No fees will be due

Chapter 15A-11-25 Short-term Rentals

until a special use approval becomes available. A complete application shall include completion of all requirements of subsection F above.

I. Owner Occupancy Requirement. The owner of a STR must reside at the STR unit as their primary residence.

1. An individual shall prove ownership of a STR unit as evidenced by one of the following:
 - a. Deed listing the ~~individual person~~ as the owner ~~or trustor of the family trust~~.
 - b. Deed of Trust listing the ~~individual person~~ as the owner ~~or trustor of the family trust~~.
 - c. Documents for any loan presently applicable to the STR unit where the ~~individual person~~ is listed as a primary borrower ~~or trustor of the family trust~~.
2. To establish that the STR unit is the owners' primary residence, the owner agrees to provide the following documentation:
 - a. One copy each of the owners most recent state and federal tax returns both listing the proposed STR unit as the owner's primary residence.
 - b. Current driver license or other state issued identification listing the address of the STR unit as the address of the owner.
 - c. A signed Affidavit of Understanding swearing that the proposed STR unit is the primary residence of the owner.

J. Noticing and Posting Requirements.

1. One nameplate sign that includes the name and the 24/7 contact information for the owner must be posted on the exterior side of the STR units main entrance.
2. An informational packet must be posted in a highly visible place within the common area of the STR unit, to include ~~copies of:~~
 - a. City issued STRL.
 - b. 24/7 owner contact information.
 - c. Parking requirements.
 - d. Maximum occupancy. ~~as determined by the building official.~~
 - e. The noise ordinance of the Revised Ordinances of Sandy City.
 - f. Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up.
 - g. Contact information for the Sandy City Police and Fire Departments.
 - h. Contact information for Sandy City Hall.
 - i. Any other appropriate requirements as specified by the Community Development Director, or his designee.

K. Occupancy Requirements. A STR unit shall not be occupied by more than the maximum occupancy as permitted by the special use approval.

1. The ~~building official will determine the number of sleeping rooms and the~~ maximum occupancy, ~~which~~ shall be no more than ~~the lesser of: (1) Two people per sleeping room or; (2) Ten Eight related people or; (3) (2) Four unrelated people. If the number of sleeping rooms is increased or decreased the owner shall notify the Community Development Department and apply for an amendment to the special use approval.~~

Chapter 15A-11-25 Short-term Rentals

2. A STR unit shall not be rented to more than one renter at any given time, and the owner shall not ~~rent out individual rooms within the subdivide and rent out the~~ STR unit to multiple renters at the same time.
 3. A STR unit with a valid accessory apartment conditional use permit may be rented for up to 365 nights per year.
 - a. The owner may not reside in the STR unit while it is occupied by a renter.
 4. A STR unit without a valid accessory apartment conditional use permit shall not be rented for more than 182 nights per year.
 - a. The owner may reside in the STR unit while it is occupied by a renter and the maximum occupancy shall not include the owner.
 - b. The STR unit shall be rented for a minimum of 1 night and a maximum of 10 consecutive nights.
 - c. There must be a renter vacancy period of 3 consecutive nights between each rental.
- L. **Parking Requirements.** The owner shall ensure compliance to the approved off-street parking plan.
1. Parking shall be limited to the garage, driveway, and dedicated parking spots of the STR unit unless other off-street, improved, hard-surface parking areas are included in the off-street parking plan, approved by the Community Development Department, and included with the special use approval.
- M. **Property Maintenance Requirements.** All short-term rentals shall adhere to the Revised Ordinances of Sandy City, including, but not limited to:
1. Maintenance. Owners must adhere to the Property Maintenance chapter of the Revised Ordinances of Sandy City including, but not limited to, requirements for weed abatement, landscaping, garbage removal, structure maintenance, and fence/wall maintenance.
 2. Snow Removal. Owners shall remove all snow from the sidewalks of the STR unit within 24 hours after snowfall in accordance with the Revised Ordinances of Sandy City.
 3. Noise and Nuisance Control. Owners shall ensure that renters adhere to the noise control chapter of the Revised Ordinances of Sandy City ~~at all times~~. Should a renter violate the noise control chapter more than once in any given 72-hour period they shall be immediately evicted from the STR unit by the owner.
 4. Response time. An owner shall respond to any external complaint within one hour of receiving it. If the owner is unreachable after 3 attempted contacts by Sandy City, a notice of violation will be issued.
- N. **Violations.** It shall be a violation for any person to operate an STR:
1. Without first obtaining a special use approval and a STR Business License; or
 2. That is not in compliance with the requirements of this chapter, the revised ordinances of Sandy City, or the Sandy City Land Development Code.
- O. **Enforcement and Fines.** Upon a determination that a violation exists, the Community Development Director or his/her designee, will contact the owner requiring such owner to halt, eradicate, destroy,

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remove, or otherwise cure the violation within 48 hours, or such later time the Director or his designee may determine.

1. Each day that a violation occurs or continues is a separate violation
2. For any violation of this section the issuing officer may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
 - a. For the first violation within any 12-month period the penalty shall be \$500.
 - b. For a second violation within any 12-month period, the penalty shall be \$750.
 - c. For a third violation within any 12-month period the penalty shall be \$1,000 and revocation of the STRL and special use approval. The owner shall be ineligible for a STR special use approval and a STRL for a period of two years from the date of the third notice of violation.
 - d. For any violation within any 12-month period following the third violation the penalty shall be \$1,000 and the STR owner shall be banned from receiving a STR special use approval and a STRL.

- P. **Appeal.** Denial, suspension, or revocation of STR special use approval may be appealed to the Board of Adjustment in accordance with the provisions of this title.

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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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~~(s)~~: 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

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

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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 ~~proposed~~ STR owner must contact the Community Development Department annually, prior to the expiration of an active STRL, ~~in order~~ 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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Sandy City Council Office

10000 South Centennial
Parkway Suite 231
Sandy, UT 84070
O | 801-568-7141
Sandy.Utah.Gov

Memorandum

April 17, 2018

To: Council Members

From: Council Member Chris McCandless

Subject: Short-term rentals

As a Council we should require that the following be included within the applications pertaining to short-term rentals. I'd recommend that we include the statements below with both the STR special use application and the STR business license application.

1. Any licensed STR in Sandy City shall include the following statement in any online advertisement for the STR unit: *This short-term rental is legally permitted by Sandy City short-term rental permit #____ and short-term rental business license #____. Any short-term rental in Sandy City operating without a permit and business license number included within its online advertisement is operating illegally. Renters beware.*
2. *Homes located in planned, covenanted communities may be bound by covenants, conditions, and restrictions (CC&R's) that describe requirements and limitations imposed on the home by the CC&R's. In many cases the requirements and limitations are administered by a home owner's association (HOA). In some cases, CC&R's include additional limitations on the operation of short-term rentals (STR). An existing HOA may alter the CC&R's for their community to limit or restrict the operation of STR's. Where an HOA and/or CC&R's do not exist for a specific home or group of homes, they may be created.*



Staff Report

File #: 18-110, **Version:** 1

Date: 4/17/2018

Agenda Item Title

Finance Department recommending the City Council adopt Resolution #18-17C tentatively adopting its annual budget for FY 2019 subject to further public hearing and review.

Presenter

Brian Kelley

Recommended Action and/or Suggested Motion:

Motion to adopt Resolution #18-17C

RESOLUTION #18-17 C

A RESOLUTION ADOPTING TENTATIVE BUDGETS FOR SANDY CITY AND ALTA CANYON RECREATION DISTRICT FOR FISCAL YEAR 2018-2019; SCHEDULING A PUBLIC HEARING; AND PROVIDING FOR PUBLIC ACCESS TO TENTATIVE BUDGETS AND SCHEDULES.

WHEREAS, on April 17, 2018, the Mayor of Sandy City submitted to the City Council a tentative budget for each fund of the City, for the fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with Section 10-6-111 of the Utah Code; and

WHEREAS, a tentative budget for the Alta Canyon Recreation Special Service District was also submitted on such date pursuant to the Utah Special Service District Act; and

WHEREAS, on such date the City Council met in regular and open meeting and reviewed, considered and tentatively adopted such proposed budgets, subject to further public hearing and review;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah, as follows:

1. The tentative budgets for fiscal year 2018-2019 for Sandy City and the Alta Canyon Recreation Special Service District, as presented, are hereby tentatively adopted, subject to further review and a public hearing.
2. A budget hearing to consider final adoption of these budgets is scheduled to be held by the City Council on May 15, 2018, in the Council Chambers, main floor, Sandy City Hall, 10000 South Centennial Parkway, Sandy, Utah.
3. The City Recorder is hereby ordered to publish notices of the budget hearings at least seven days prior to the budget hearing in at least one issue of a newspaper of general circulation published in Salt Lake County.
4. The City Recorder is also directed to retain each tentative budget so adopted by the City Council and all supporting schedules and data, available for public inspection in her office for ten days prior to adoption of the final budgets.

PASSED AND APPROVED by the Sandy City Council this _____ day of April, 2018.

Linda Martinez-Saville, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2018.