

SECTION 19

RESIDENTIAL SHORT-TERM RENTALS

PURPOSE: RESIDENTIAL SHORT-TERM RENTALS ARE TO BE COMPATIBLE WITH AND NOT ADVERSELY IMPACT SURROUNDING RESIDENTIAL USES.

DEFINITIONS:

SHORT-TERM RENTAL – MEANS ANY DWELLING OR PORTION THEREOF THAT IS AVAILABLE FOR USE OR IS ACTUALLY USED FOR ACCOMMODATIONS OR LODGING OF GUESTS FOR A PERIOD OF LESS THAN THIRTY CONSECUTIVE DAYS, WHEREIN GUESTS PAY A FEE OR OTHER COMPENSATION FOR SAID USE.

PROPERTY OWNER – IS DEFINED AS AN INDIVIDUAL, CORPORATION, PARTNERSHIP, ASSOCIATION, JOINT STOCK COMPANY, BUSINESS TRUST, OR ANY UNINCORPORATED ORGANIZATION THAT IS THE OWNER OF A RENTAL DWELLING OR HAS A FINANCIAL INTEREST IN THE RENTAL DWELLING.

REQUIREMENTS:

- A. SHORT-TERM RENTALS SHALL BE CONDUCTED ONLY IN A SINGLE-FAMILY DWELLING AND ONLY BY THE OWNER OF THE DWELLING AND SHALL MEET ALL APPLICABLE REQUIREMENTS OF THIS ORDINANCE, AND ALL OTHER LAND USE ORDINANCES, BUILDING CODES AND HEALTH CODES, AS APPLICABLE.
- B. ONE (1) OFF STREET PARKING AREA FOR EACH GUEST ROOM, IN ADDITION TO ANY PARKING REQUIREMENTS FOR THE SINGLE-FAMILY DWELLING, SHALL BE PROVIDED. PARKING OF RECREATIONAL VEHICLES, DURING THE RENTAL PERIOD, SHALL BE ALLOWED IN THE FRONTAGE OF THE SHORT-TERM RENTAL UNIT SO LONG AS IT DOES NOT BLOCK DRIVEWAYS, SIDEWALKS, OR THE CLEAR VIEW AREA OF A STREET OR DRIVE-WAY OF AN ADJOINING PROPERTY OR IMPEDE TRAFFIC ON THE STREET.
- C. THE ADDRESS OF ANY DWELLING UNIT USED FOR A SHORT-TERM RENTAL SHALL BE CLEARLY VISIBLE.
- D. NO ACCESSORY STRUCTURE, MOTOR HOME, TRAVEL TRAILER, BOAT, OR SIMILAR VEHICLE OR FACILITY SHALL BE USED AS GUEST ROOMS.

LICENSE: IT IS UNLAWFUL FOR ANY PERSON TO KEEP, CONDUCT, OPERATE, OR MAINTAIN A SHORT-TERM RENTAL WITHIN THE TOWN WITHOUT A RESIDENTIAL SHORT-TERM RENTAL BUSINESS LICENSE. A PERSON WHO OWNS MULTIPLE SHORT-TERM RENTALS IS NOT REQUIRED TO OBTAIN MORE THAN ONE BUSINESS LICENSE FOR THE OPERATION AND MAINTENANCE OF THOSE RENTALS.

- A. LICENSE TERM – ALL LICENSES ISSUED SHALL EXPIRE ON JANUARY 1ST OF EACH YEAR UNLESS SOONER CANCELED AND SHALL BE ISSUED FOR ONE YEAR ONLY
- B. LICENSE FEE – THE FEE FOR A RESIDENTIAL SHORT-TERM RENTAL BUSINESS LICENSE SHALL BE THE SAME AS A GENERAL BUSINESS LICENSE THROUGH ELSINORE TOWN.
- C. LICENSE APPLICATION – APPLICATIONS SHALL CONTAIN THE FOLLOWING INFORMATION:
 - 1. THE LOCATION OF THE SHORT-TERM RENTAL
 - 2. THE NUMBER OF ROOMS THEREIN
 - 3. THE NUMBER OF PERSONS THE SHORT-TERM RENTAL WILL ACCOMMODATE
 - 4. THE NAME, ADDRESS AND TELEPHONE NUMBER OF A LOCAL RESPONSIBLE PARTY WHO IS AVAILABLE BY TELEPHONE TWENTY-FOUR HOURS PER DAY
 - 5. PROOF OF SUFFICIENT OFF-STREET PARKING TO SUPPORT THE MAXIMUM NUMBER OF POTENTIAL RENTERS

MAINTENANCE, STRUCTURES AND GROUNDS, OTHER REQUIREMENTS AND LIMITATIONS: A SHORT-TERM RENTAL SHALL BE MAINTAINED TO THE FOLLOWING MINIMUM STANDARDS.

- A. DISTRIBUTION OF RETAIL PRODUCTS OR PERSONAL SERVICES TO INVITEES FOR MARKETING OR SIMILAR PURPOSES; OR THE OUTDOOR DISPLAY OF GOODS AND MERCHANDISE FOR SALE WILL NOT BE ALLOWED.

- B. THE ACCESS TO THE SHORT-TERM RENTAL UNIT AND THE LAYOUT OF THE SHORT-TERM RENTAL SHALL BE DESIGNED SO THAT NOISE AND PHYSICAL TRESPASS FROM THE SHORT-TERM RENTAL UNIT IS NOT LIKELY TO BE A SUBSTANTIAL INTRUSION ON ADJOINING PROPERTIES. IF THE SHORT-TERM RENTAL UNIT IS A SINGLE-FAMILY HOME, DUPLEX OR OTHER DWELLING PLACE AND SHARES ACCESS, HALLWAY, COMMONWALL, OR DRIVEWAY WITH ANOTHER DWELLING, WRITTEN CONSENT OF THE OWNER OF THE OTHER DWELLING IS REQUIRED.
- C. THE LICENSEE MUST DESIGNATE A RESPONSIBLE PARTY WHO IS AN INDIVIDUAL OR PROPERTY MANAGEMENT COMPANY.
- D. THE RESPONSIBLE PARTY IS PERSONALLY LIABLE FOR FAILURE TO PROPERLY MANAGE THE SHORT-TERM RENTAL.
- E. RENTER MAY NOT USE A SHORT-TERM RENTAL FOR A PURPOSE NOT INCIDENTAL TO A NORMAL RESIDENTIAL USE. AT NO TIME MAY THE TENANTS OF A SHORT-TERM RENTAL VIOLATE STATE AND MUNICIPAL LAW CONCERNING NUISANCES, NOISE, AND/OR DISTURBING THE PEACE.