

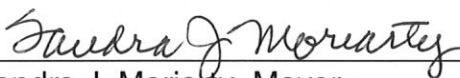
RESOLUTION NO. 2019-22

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED
AMENDMENTS TO CITY CODE CHAPTER 5.25.010
(SHORT TERM RENTAL REGULATION).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the terms set forth in that document attached hereto as Exhibit A and entitled "2019 Amendments to City Code Short Term Rental Regulation Provisions" constitute a public record to be incorporated by reference into Ordinance No. 2019-08.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

PASSED AND ADOPTED this 26th day of November, 2019 by the Mayor and Council of the City of Sedona, Arizona.




Sandra J. Moriarty, Mayor

ATTEST:



Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:



Robert Pickels, Jr., City Attorney

Exhibit A
2019 Amendments to the City Code Short Term Rental Provisions

Chapter 5.25
SHORT-TERM RENTAL REGULATION

Sections:

<u>5.25.010</u>	Title.
<u>5.25.020</u>	Findings and purpose.
<u>5.25.030</u>	Definitions.
<u>5.25.040</u>	Emergency Contact.
<u>5.25.050</u>	Use regulations.
<u>5.25.060</u>	Penalties.

5.25.010 Title.

This chapter shall be known as the city of Sedona short-term rental regulation chapter. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-1].

5.25.020 Findings and purpose.

The city of Sedona is committed to maintaining its small-town character, scenic beauty, and natural resources that are the foundation of its economic strength and quality of life. (Sedona Community Plan, Section 9.2, Recommendations Goal 1.0.) The purpose of this chapter is to safeguard the public health and safety of the residents of Sedona and their visitors and guests while preserving the residential character of neighborhoods, minimizing nuisances, and providing equity with other residential and commercial uses. Therefore, in an attempt to further promote the aims and goals of the Sedona Community Plan, the city does hereby adopt the following provisions in an attempt to protect the public's health and safety in residential neighborhoods. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-2].

5.25.030 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Emergency point of contact” means the owner or owner’s designee, who is located within 25 miles of the vacation rental, short-term rental, or transient lodging establishment who is available 24 hours per day, 7 days per week for the purpose of responding in-person, telephonically, or by electronic mail to complaints, emergencies, or other incidents at the property in a timely manner.

“Transient” means any person who either at the person’s own expense or at the expense of another obtains lodging space or the use of lodging space on a daily or weekly basis, or any other basis for less than 30 consecutive days.

“Transient lodging” means the business of operating for occupancy by transients a hotel or motel, including an inn, tourist home or house, dude ranch, resort, campground, studio or bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure, and also including a space, lot, or slab that is occupied or intended or designed for occupancy by transients in a mobile home or trailer furnished by them for such occupancy. Transient lodging does not include those exceptions identified in A.R.S. § 42-5070(B).

“Vacation rental” or “short-term rental” means any individually or collectively owned single-family or one- to four-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. § 42-12001. “Vacation rental” and “short-term rental” do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-3].

5.25.040 Emergency contact.

Before renting the property or offering the property for rent, the owner of any vacation rental, short-term rental, or transient lodging establishment shall provide the city with the name, address, e-mail address, and phone number of an emergency point of contact who is available 24 hours per day, 7 days per week for the purpose of responding in a timely manner to any complaints, emergencies, or other incidents at the property. The owner shall notify the city, in writing, of all changes in the emergency contact information required by this section, not less than ten (10) days prior to the effective date of the change. The emergency point of contact shall be responsible to ensure that the occupants and guests of the property do not create unlawful noise disturbances, engage in disorderly conduct, or violate provisions of the Sedona City Code or any state law. Upon notification from the city that any occupant or guest of the property has created unlawful noise or disturbances, engaged in disorderly conduct, or committed violations of provisions of the Sedona City Code or any state law, the emergency point of contact shall respond in a timely and appropriate manner to prevent such conduct. The phrase “in a timely and appropriate manner” shall mean telephonic or in-person contact with the occupants of the property and the city or the city’s designee within 60 minutes of a call for each incident.

The contact information for the emergency point of contact shall be posted in a prominent and visible location inside the short-term rental, vacation rental, or transient lodging

establishment. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-5].

5.25.050 Use regulations.

The Sedona Land Development Code district regulations shall be applied to a short-term rental, vacation rental, or transient lodging establishment in the same manner as other property classified under A.R.S. §§ [42-12003](#) and [42-12004](#) except as permitted by state law. The use of any short-term rental, vacation rental, or transient lodging establishment in any single-family residential district shall be limited to the uses identified in the Sedona Land Development Code for that particular zoning district. No vacation rental, short-term rental, or transient lodging establishment in any residential district shall be used for nonresidential uses, including for any special event that would require a permit or license pursuant to Sedona City Code § 5.05.030(B) or as a retail establishment, restaurant, banquet space, or any other similar use. The owner of any vacation rental, short-term rental, or transient lodging establishment shall be responsible to ensure that the property complies with all applicable fire, building, health and safety codes, and all other relevant state and local laws. No vacation rental, short-term rental, or transient lodging establishment shall be rented or offered for rent without a current, valid Transaction Privilege Tax license. The owner of any vacation rental, short-term rental, or transient lodging establishment shall list the Transaction Privilege Tax license number on each advertisement offering the property for rent. [Ord. 2008-01, 1-22-08; Ord. 2015-09 § 1, 6-23-15; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-6].

5.25.060 Penalties.

Failure to comply with this chapter may subject the owner of the short-term rental, vacation rental, or transient lodging establishment to civil penalties up to \$2,500 per violation under Sedona City Code § 1.15.010.