

Draft: Short-term rentals; enforcement

9-500.39. Limits on regulation of vacation rentals and short-term rentals; state preemption; definitions

A. A city or town may not prohibit vacation rentals or short-term rentals, **BUT MAY LIMIT THE PERCENTAGE OF VACATION RENTALS AND SHORT-TERM RENTALS IN THAT CITY OR TOWN BASED ON THE TOTAL HOUSING STOCK.**

B. A city or town may not restrict the use of or regulate vacation rentals or short-term rentals-based on their classification, use or occupancy except as provided in this section. A city or town may regulate vacation rentals or short-term rentals for the following purposes:

1. Protecting the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste and pollution control, and designation of an emergency point of contact, if the city or town demonstrates that the rule or regulation is for the primary purpose of protecting the public's health and safety.

2. Adopting and enforcing residential use and zoning ordinances, including ordinances related to noise, protection of welfare, property maintenance and other nuisance issues, if the ordinance is applied in the same manner as other property classified under sections 42-12003 and 42-12004.

3. Limiting or prohibiting the use of a vacation rental or short-term rental for the purposes of housing sex offenders, operating or maintaining a sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.

4. Requiring the owner of a vacation rental or short-term rental to provide the city or town with contact information for the owner or the owner's designee who is responsible for responding to complaints in a timely manner in person **OR**, over the phone **or by email** at any time of day before offering for rent or renting the vacation rental or short-term rental.

5. REQUIRING THE OWNER OF A VACATION RENTAL OR SHORT TERM RENTAL TO PROVIDE THE NAME AND TELEPHONE NUMBER OF THE OWNER OR OWNER'S DESIGNEE TO ALL PROPERTY OWNERS WITHIN 300 FEET OF THE VACATION RENTAL OR SHORT-TERM RENTAL PROPERTY.

6. REQUIRING THE OWNER OF A VACATION RENTAL OR SHORT TERM RENTAL TO DISPLAY A SINGLE SIGN CONTAINING A LOCAL 24-HOUR EMERGENCY CONTACT NUMBER, ATTACHED TO THE STRUCTURE AND IN CLOSE PROXIMITY TO THE FRONT DOOR, NO LARGER THAN TWO SQUARE FEET IN SIZE.

7. REQUIRING THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL TO PROVIDE PROOF OF A VALID ARIZONA TRANSIENT OCCUPANCY TAX REGISTRATION CERTIFICATE WITHIN 30 DAYS OF RECEIPT AND OBTAIN A BUSINESS LICENSE ISSUED BY THE CITY OR TOWN.

C. Within thirty days after a verified violation, a city or town shall notify the department of revenue and the owner of the vacation rental or short-term rental of the verified violation of the city's or town's applicable laws, regulations or ordinances and, if the owner of the vacation rental or short-term rental received the verified violation, whether the city or town imposed a civil penalty on the owner of the vacation rental or short-term rental and the amount of the civil penalty, if assessed. If multiple

verified violations arise out of the same response to an incident at a vacation rental or short-term rental, those verified violations are considered one verified violation for the purpose of assessing civil penalties pursuant to section 42-1125.02, subsection B.

D. If the owner of a vacation rental or short-term rental has provided contact information to a city or town pursuant to subsection B, paragraph 4 of this section and if the city or town issues a citation for a violation of the city's or town's applicable laws, regulations or ordinances or a state law that occurred on the owner's vacation rental or short-term rental property, the city or town shall make a reasonable attempt to notify the owner or the owner's designee of the citation within seven business days after the citation is issued using the contact information provided pursuant to subsection B, paragraph 4 of this section. If the owner of a vacation rental or short-term rental has not provided contact information pursuant to subsection B, paragraph 4 of this section, the city or town is not required to provide such notice.

E. This section does not exempt an owner of a residential rental property, as defined in section 33-1901, from maintaining with the assessor of the county in which the property is located information required under title 33, chapter 17, article 1.

F. A vacation rental or short-term rental may not be used for nonresidential uses, including for a special event that would otherwise require a permit or license pursuant to a city or town ordinance or a state law or rule or for a retail, restaurant, banquet space or other similar use.

G. For the purposes of this section:

1. "Transient" has the same meaning prescribed in section 42-5070.

2. "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 section 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.

3. "Verified violation" means a finding of guilt or civil responsibility for violating any state law or local ordinance relating to a purpose prescribed in subsection B or F of this section that has been finally adjudicated.



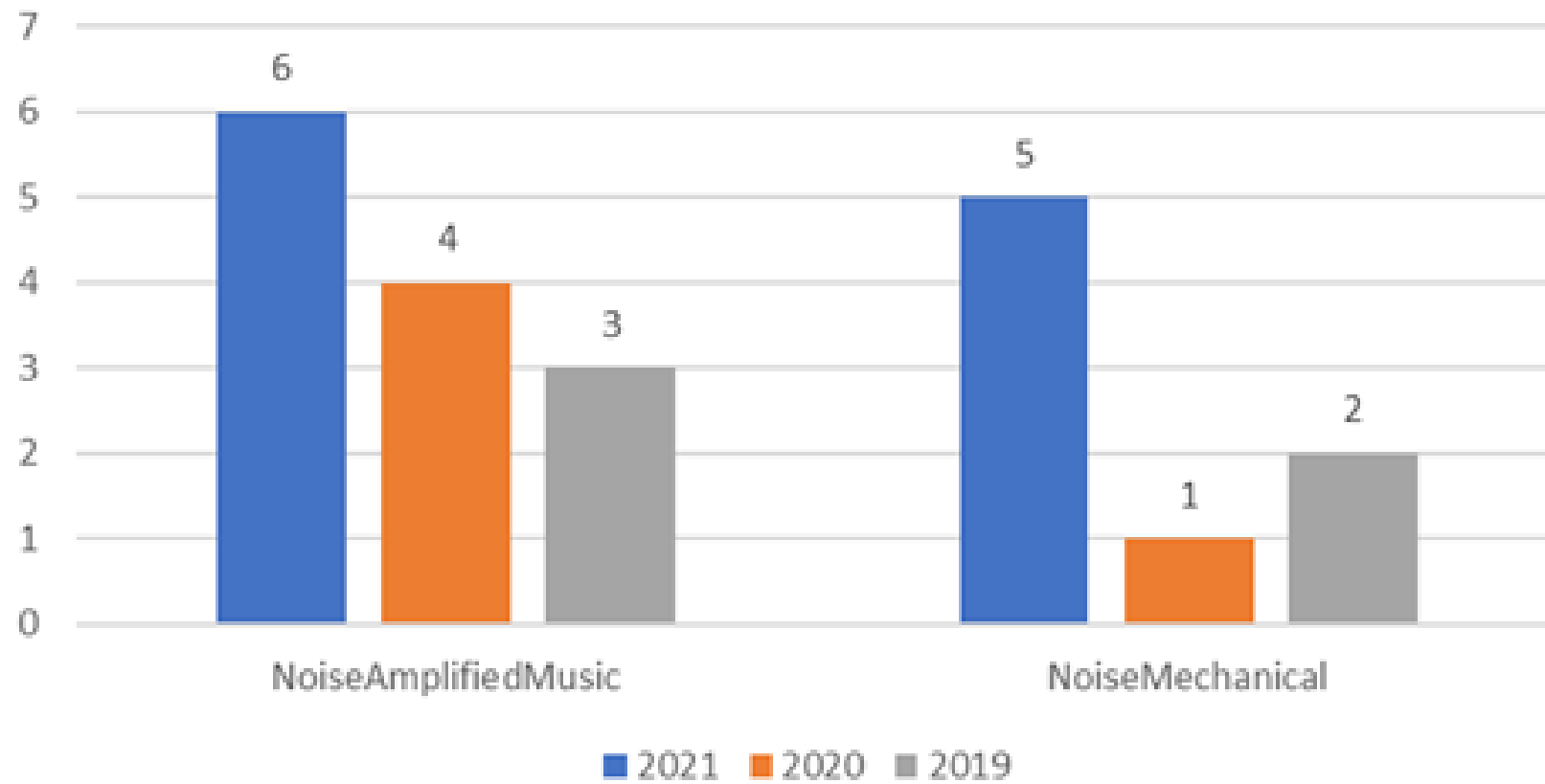
CITY OF SEDONA

SCC 8.25 Noise Regulations

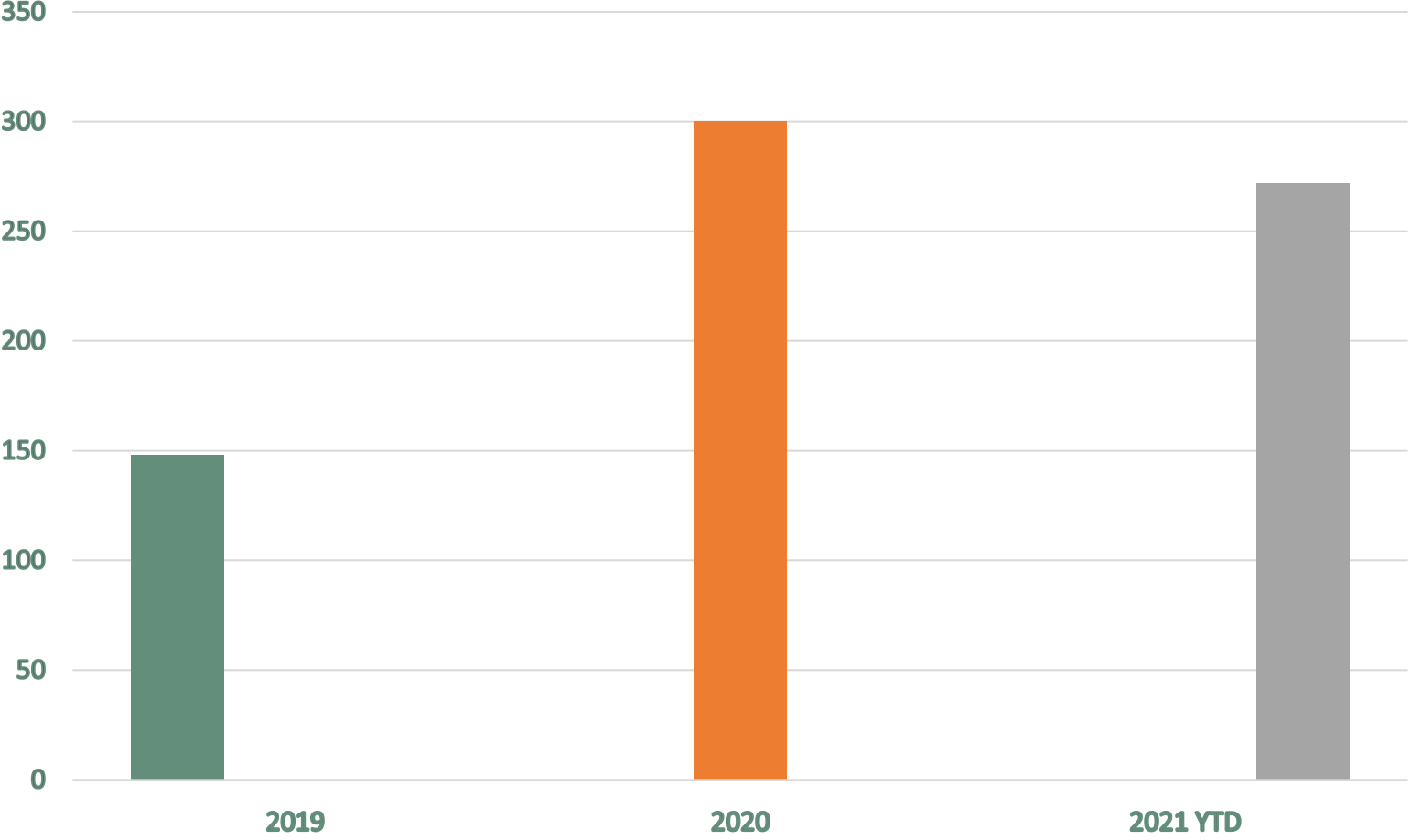
November 9, 2021



Code Enforcement noise complaints



SPD Noise Complaints



Current Ordinance

8.25.050 Sound control officers.



The provisions of this section shall be enforced by sound control officers. A person shall be qualified to be a sound control officer if the person meets the criteria set forth in the definition in SCC [8.25.020](#) and completes, with a passing grade, a sound enforcement certification course and thereafter a recertification course every five years as offered by the Rutgers Noise Technical Assistance Center, Department of Environmental Science, the State University of New Jersey at Rutgers, or other similar noise enforcement certification course as approved by the administrator. The provisions of this code that do not require the use of a sound level meter may be enforced by



New SCC Chapter 8.25

(C) *Allowable noise levels.*

(1) It is unlawful for any person to create any noise which would cause the noise level measured from any location at or within the property line of the complainant's property to exceed the following community noise standards for more than 15 minutes in commercial areas and industrial areas and for more than five minutes in residential areas:

Table I. Community Noise Standards

Zone	Time	Noise Standard Maximum dB(A)
Residential area	10:00 p.m.—7:00 a.m.	50
	7:00 a.m. – 10:00 p.m.	60
Commercial area	10:00 p.m. – 7:00 a.m.	65
	7:00 a.m. – 10:00 p.m.	65
Industrial area	10:00 p.m. – 7:00 a.m.	65
	7:00 a.m. – 10:00 p.m.	70

New SCC Chapter 8.25



8.25.060 Unnecessary noise in residential areas.

(A) Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful in residential areas for any person without justification to make or continue, or cause or permit to be made or continued, any unnecessary, excessive or offensive noise, which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person residing in the area.

(B) Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful in residential areas for any person without justification to yell, shout, make unreasonably loud and disturbing noise, or allow any such noises to occur on one's property, between the hours of 9:00 p.m. and 7:00 a.m., or at any time so as to disturb the quiet, comfort, or repose of a reasonable person of ordinary sensitivity. "Unreasonably loud and disturbing noise" means any noise of such character, intensity or duration as to be detrimental to the life or health or well-being of any individual in a residential area, or as to disturb the public peace and quiet of an individual in a residential area. This subsection applies only to those situations where the disturbance is not a result of the content of the communication, but due to the volume, duration, location, timing or other factors not based on content.

New SCC Chapter 8.25

8.25.070 Penalties.

(A) *Violations of sections 8.25.030, 8.25.040, and 8.25.050.*

(1) *Civil violations.* Any person who violates section 8.25.030, section 8.25.040, or section 8.25.050 shall be subject, upon order of a court, to a civil penalty of not more than \$2,500 for each offense, and each day during which the violation continues shall constitute a separate offense.

(2) *Habitual offender.* A habitual offender is a person who commits a violation of this chapter after previously having been found responsible for committing three or more civil violations of this chapter within a 24-month period, whether by admission, by payment of the fine, by default or by judgment after hearing. A habitual offender shall be guilty of a criminal class 1 misdemeanor complaint in the city municipal court against habitual offenders who violate this chapter. For purposes of calculating the 24-month period under this paragraph, the dates of the commission of the offenses are the determining factor.

New SCC Chapter 8.25

(B) *Violations of section 8.25.060 regarding unnecessary noise in residential areas.*

Criminal penalty. Any person found guilty of violating section 8.25.060 of this chapter shall be guilty of a class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$2,500 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues is a separate offense punishable as set forth herein or by civil sanction.



Questions?

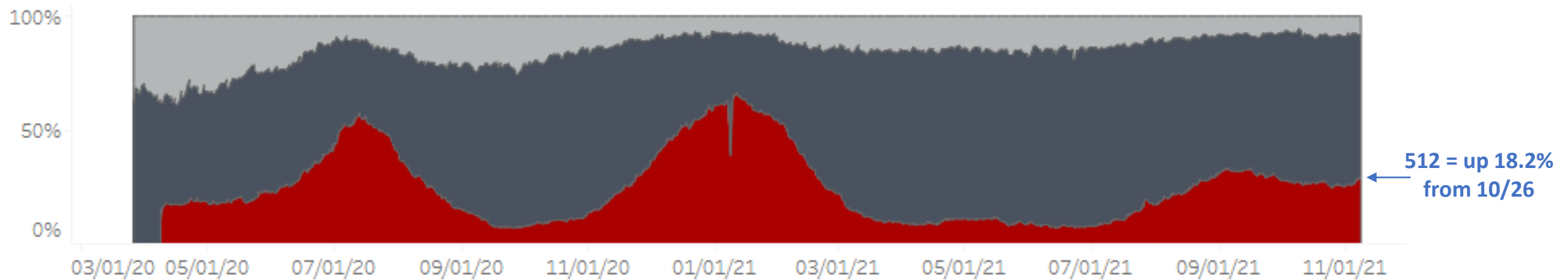
COVID-19 Update

Sedona City Council Meeting

11/9/21



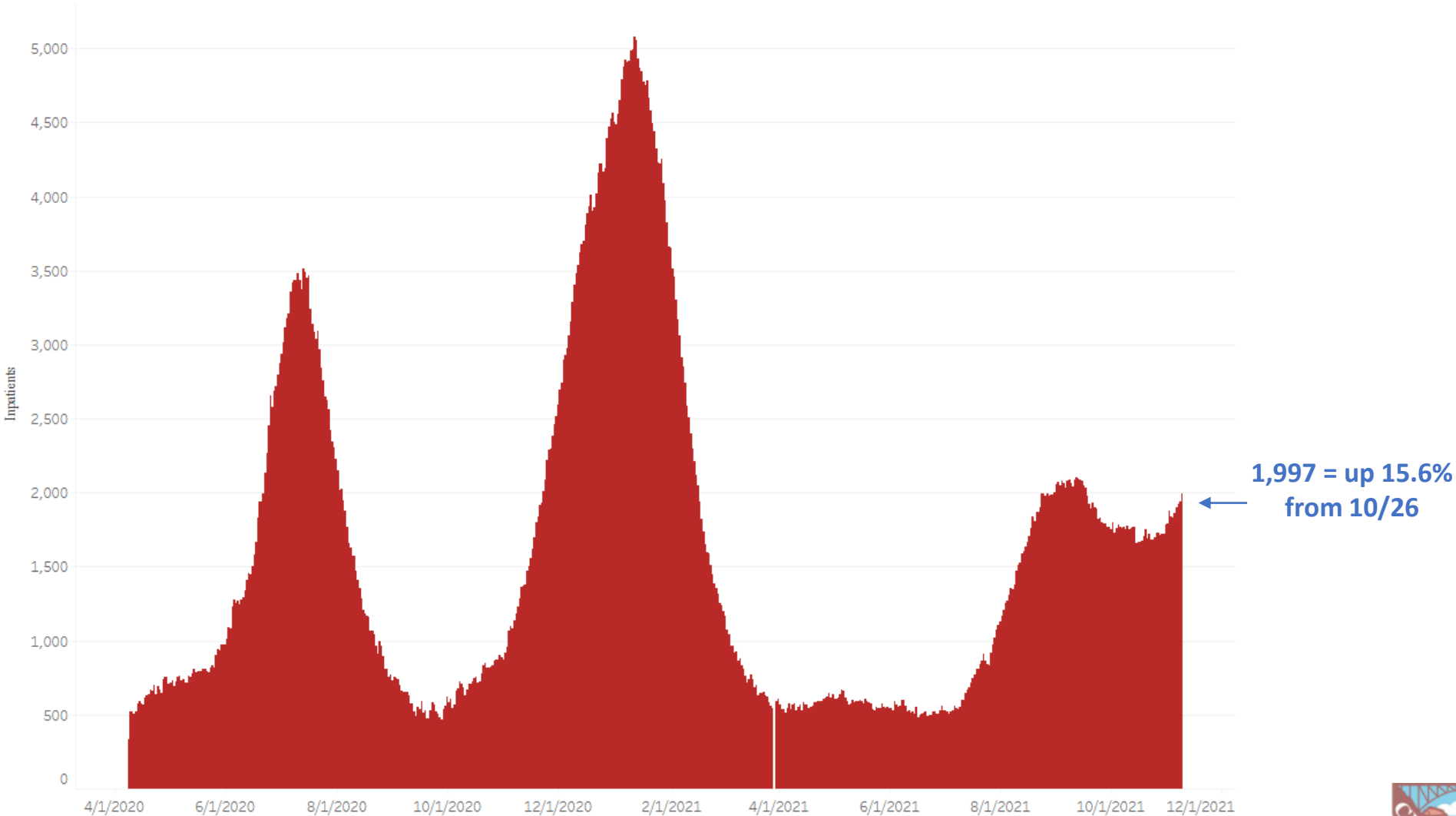
Number of Intensive Care Unit (ICU) Beds



- Available,
- In Use by non-COVID Patients, and
- In Use by COVID Patients (starting 4/10/20) at Arizona Hospitals



Number of Positive or Suspected **Inpatient COVID-19 Patients**



<https://www.azdhs.gov/covid19/data/index.php#specific-metrics>



AZ Changes in Total Deaths

Date	Total Deaths	Change	Deaths/day
8/11/20	4,199		
9/8/20	5,221	+1,022	36.5
10/13/20	5,767	+546	26
10/27/20	5,891	+124	8.9
11/10/20	6,192	+301	21.5
11/24/20	6,515	+323	23
12/8/20	6,973	+458	32.7
1/12/21	10,482	+3509	100.3
1/26/21	12,448	+1966	140.4
2/9/21	14,286	+1838	131
2/23/21	15,650	+1364	97.4
3/9/21	16,326	+676	32.2
3/23/21	16,798	+472	33.7
4/13/21	17,105	+307	14.6
4/27/21	17,208	+163	11.6
5/11/21	17,409	+201	14.4
5/25/21	17,555	+146	10.4
6/8/21	17,700	+145	10.4
7/27/21	18,171	+471	9.61
8/10/21	18,400	+229	16.4
9/14/21	19,304	+904	25.1
9/28/21	19,920	+616	44
10/12/21	20,453	+533	38.1
10/26/21	20,963	+510	36.4
11/9/21	21,486	+523	37.4

Data pulled from City Council reports 8/11/2020 through 10/26/2021

* 49 days between 6/8 and 7/27

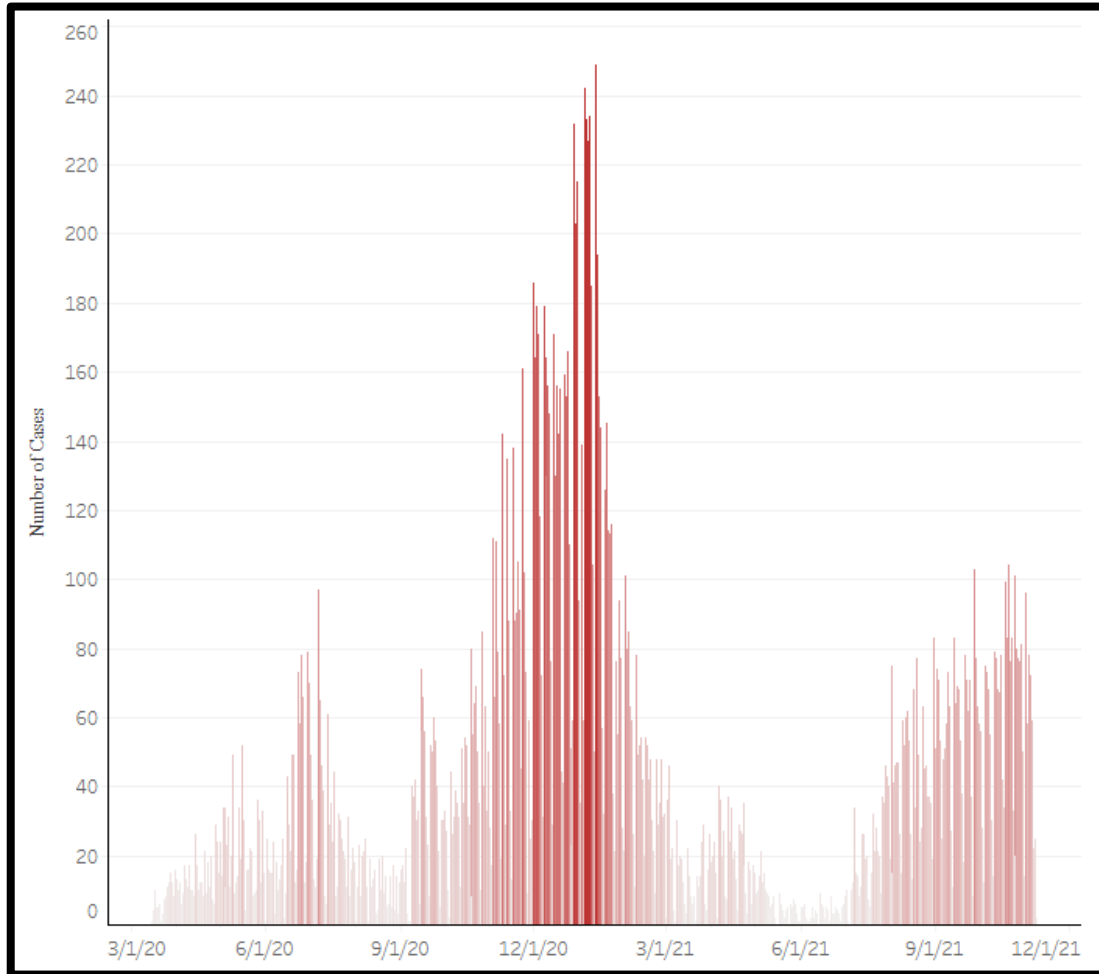
** 36 days between 8/10 and 9/14



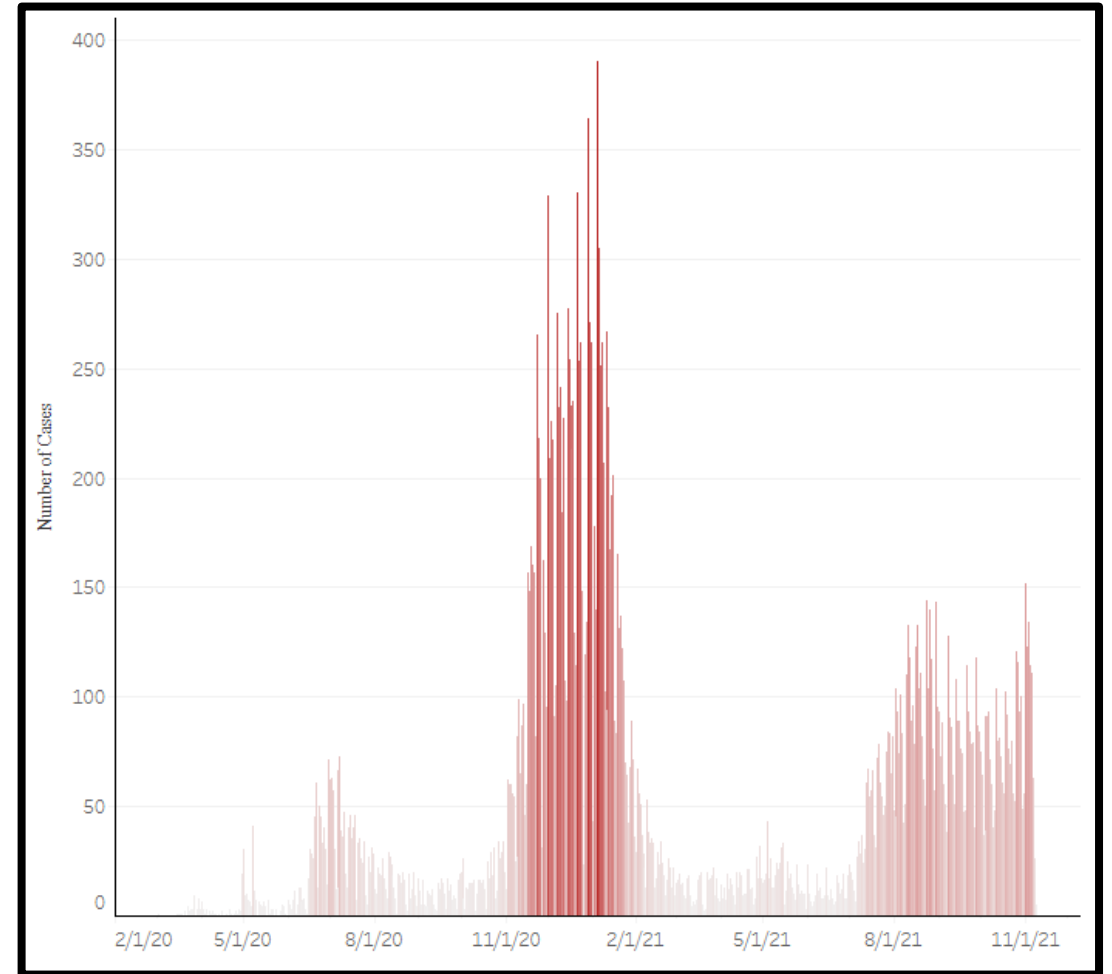
County Case Data

- **Coconino:** Cases as of 11/9: 23,920 - up from 22,782 on 10/26 (+5.0%)
- **Yavapai:** Cases as of 11/9: 29,498 - up from 27,958 on 10/26 (+5.5%)

Coconino County



Yavapai County



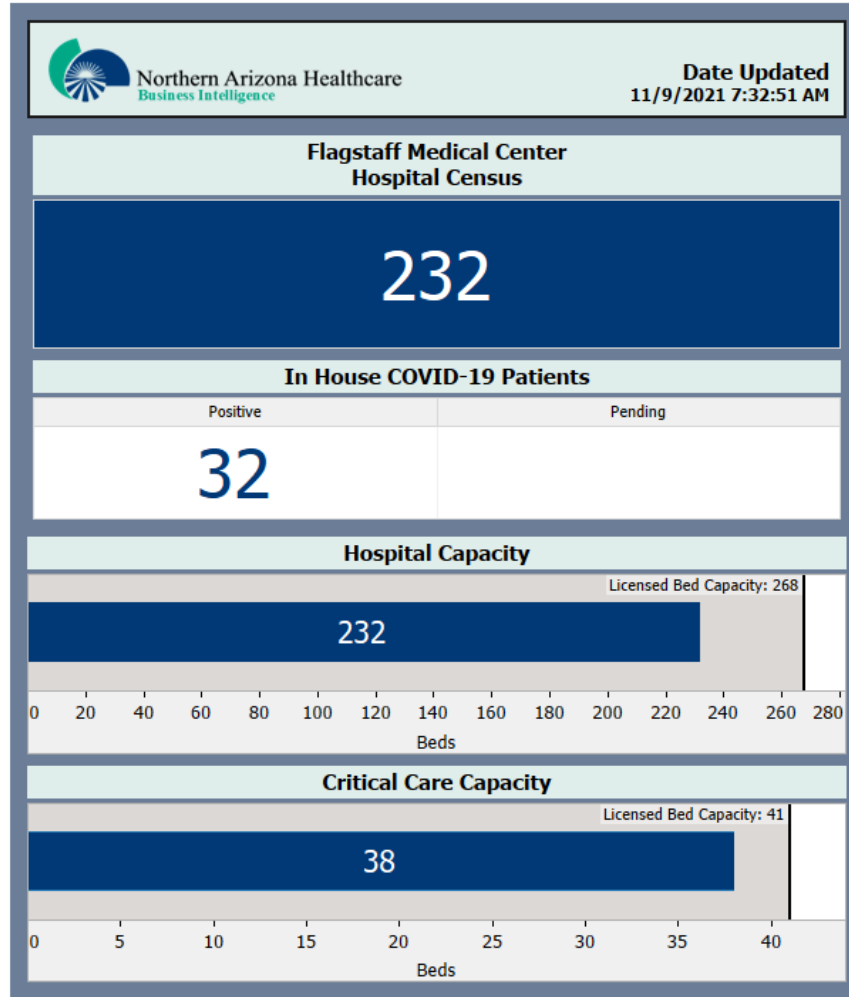
Date of specimen collection is used for day

<https://www.azdhs.gov/covid19/data/index.php#confirmed-by-day>

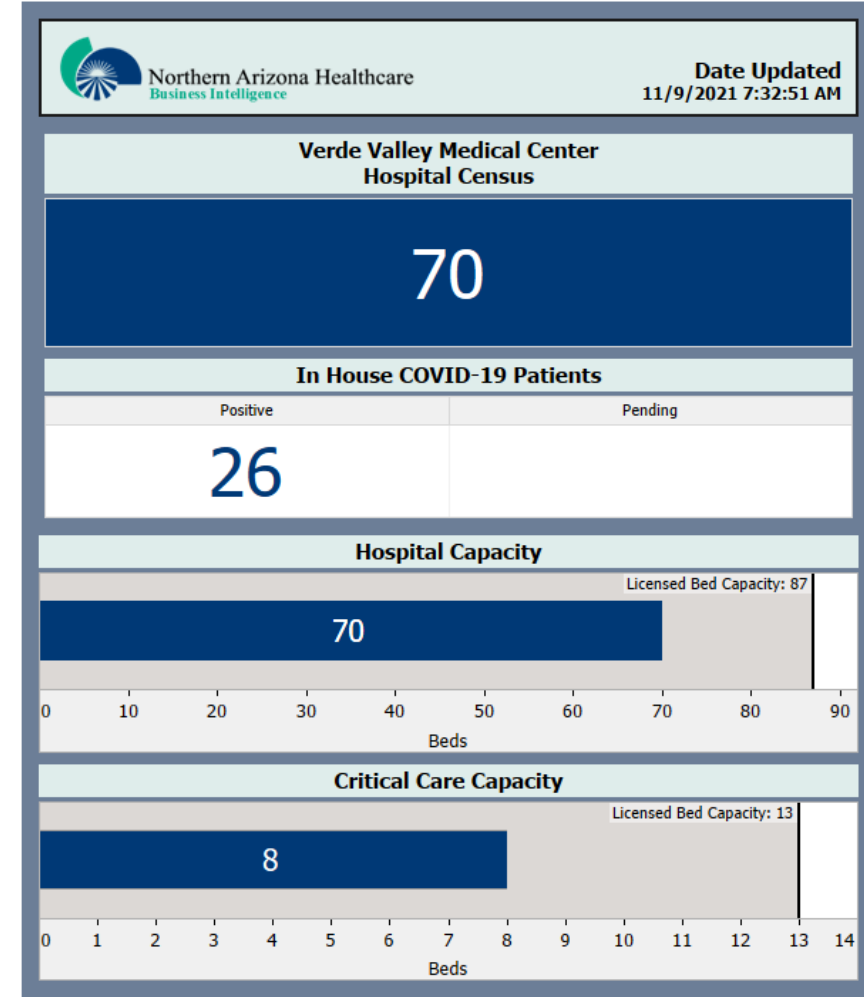
Hospital Data

- **Flagstaff:** In House COVID-19 as of 11/9: 39 - up from 39 on 10/26 (-17.9%)
- **VVMC:** In House COVID-19 as of 11/9: 22 - up from 22 on 10/26 (+18.2%)

Flagstaff Medical Center



Verde Valley Medical Center



<https://www.azdhs.gov/covid19/data/index.php#confirmed-by-day>

<https://www.nahealth.com/covid-19-resources>



Yavapai and Coconino County Vaccinations

Statewide:

- 59.7% of population has had at least 1 dose of vaccine (*up from 58.8% on 10/26*)
- 8.42 million doses administered (*up from 8.11 million on 10/26*)
- 70.3% of *eligible people* vaccinated (age 12 and older**) (*up from 69.2% on 10/26*)

Yavapai:

- 47.6% of total population has had at least 1 dose of vaccine (110,676) (*up from 46.9% on 10/26*)
- 40.9%* of total population has been fully-vaccinated (95,029) (*up from 39.7% on 10/26*)
- 53.2% of *eligible people* vaccinated (age 12 and older**) (*up from 52.4% on 10/26*)

Coconino:

- 59.5% of total population has had at least 1 dose of vaccine (87,692) (*up from 58.7% on 10/26*)
- 54.1%* of total population has been fully-vaccinated (79,712) (*up from 52.6% on 10/26*)
- 69.0% of *eligible people* vaccinated (age 12 and older**) (*up from 68.0% on 10/26*)

<https://www.azdhs.gov/covid19/data/index.php#vaccine-admin>

- Population numbers used are those published on AZDHS website for consistency – Yavapai 232,386 Coconino 147,275
 - ** Population for age 5 and older has not yet been adjusted to reflect eligible people on ADHS website



Yavapai County Stats on Vaccinated vs. Unvaccinated COVID-19 Cases since May 1, 2021, through November 5, 2021

Vaccination Status	Number	Percent
Vaccinated	1233	13.1%
Unvaccinated	8184	86.9%
Total	9417	100.0%

Outcome	Vaccinated	Unvaccinated	% Vacc.
Hospitalized	103	761	13.1%
Died	10	162	5.8%

Age	Vaccinated	Unvaccinated	% Vacc.
13 to 17	16	757	2.1%
18 to 24	60	901	6.2%
25 to 34	88	1303	6.3%
35 to 44	125	1278	8.9%
45 to 54	157	1095	12.5%
55 to 64	255	1231	17.2%
65 to 74	318	1031	23.6%
75 to 84	167	457	26.8%
85 and older	47	131	26.4%



Source: YCCHS Epidemiologist

New Booster Guidance

- The Centers for Disease Control and Prevention (CDC) has authorized Moderna and Johnson & Johnson/Janssen COVID-19 booster doses for eligible individuals.
- All providers administering COVID-19 vaccines can administer the booster vaccine as well, including pharmacies and primary providers.

Moderna (half dose) & Pfizer-BioNTech (full dose) COVID-19 vaccines:

- A single booster dose is recommended at least six months after completion of the initial two-dose primary series:
 - 65 years and older
 - 18 years and older living in long-term care setting
 - 18 years and older who have underlying medical conditions
 - 18 years and older who live in high-risk settings.

Johnson & Johnson/Janssen (full dose):

- A single booster does is recommended for:
 - 18 years and older at least two months after the original dose.

Heterologous or “Mix & Match” of Booster dose:

- CDC’s recommendations allow for individuals to choose which type of vaccine they receive as a booster dose regardless of which they received for the primary series.
- This type of mix and match dosing is for booster shots only.



Guidance for Children and Teens

Pfizer-BioNTech COVID-19 vaccine is authorized for 5 years and older

- **Dosage**

- Adolescents ages 12 years and older receive the same dosage of Pfizer-BioNTech COVID-19 vaccine as adults.
- The Pfizer-BioNTech vaccine for children ages 5 through 11 years has the same active ingredients as the vaccine given to adults and adolescents. ***However, children ages 5 through 11 years cannot get the Pfizer-BioNTech COVID-19 Vaccine given to adults and adolescents.***
- In addition, children ages 5 through 11 years receive an age-appropriate dose that is one-third of the adult dose of Pfizer-BioNTech COVID-19 vaccine. Smaller needles, designed specifically for children, are also used for children ages 5 through 11 years.
- Unlike many medications, COVID-19 vaccine dosage does not vary by patient weight but by age on the day of vaccination.
- Your child will need a second shot of the Pfizer-BioNTech vaccine three weeks after their first shot.

- **Availability**

- Check with your child's healthcare provider about whether they offer COVID-19 vaccination.
- Check your local pharmacy's website to see if vaccination walk-ins or appointments are available for children.
- Contact your state, territorial, local, or tribal health department for more information.

Moderna & Johnson & Johnson/Janssen COVID-19 vaccines are only authorized for 18 years and older



Questions?



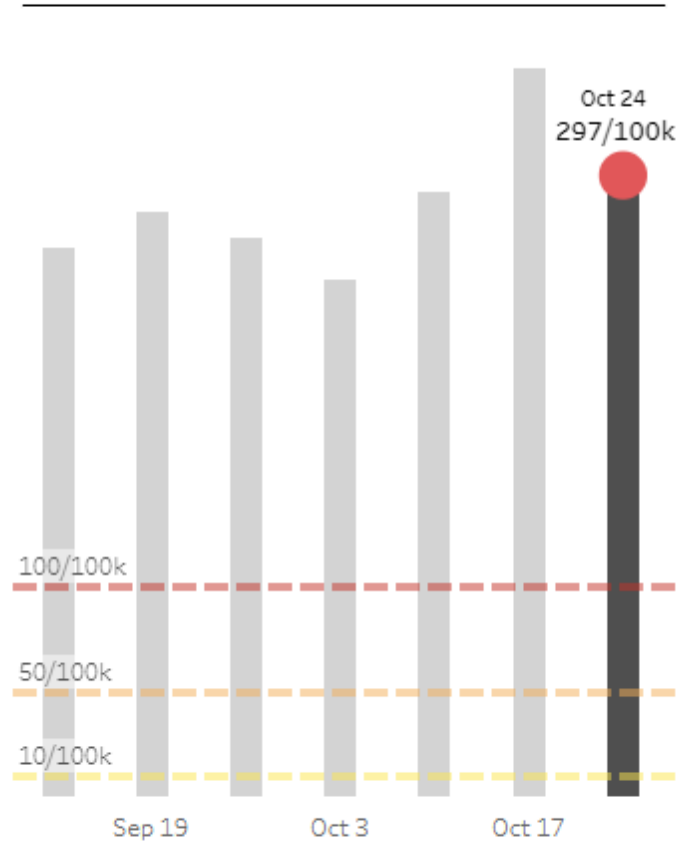
Community Transmission: Coconino

Showing data for Coconino County

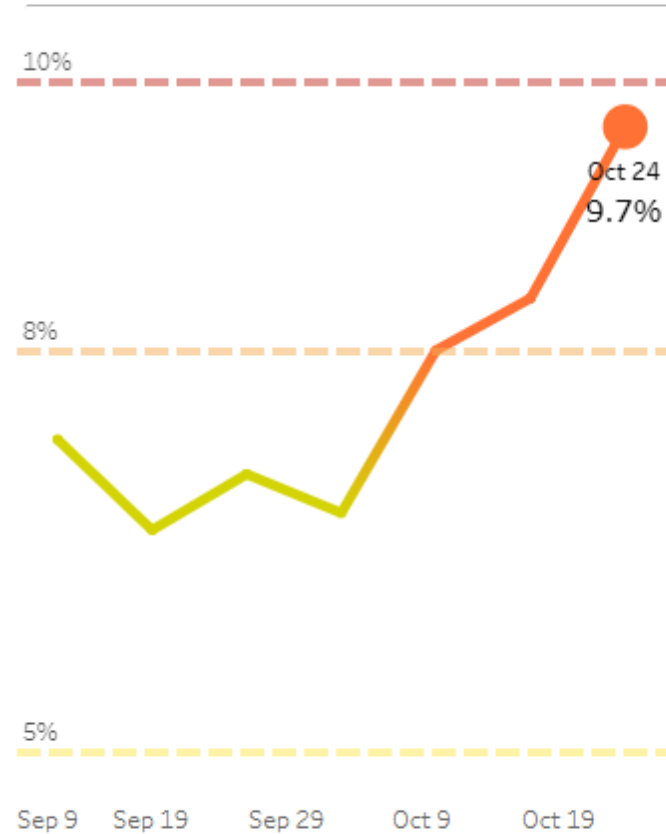
High Transmission

Hover for more information.

Cases per 100,000 individuals: **High**



Percent positivity: **Substantial**



Date Updated: 11/4/2021



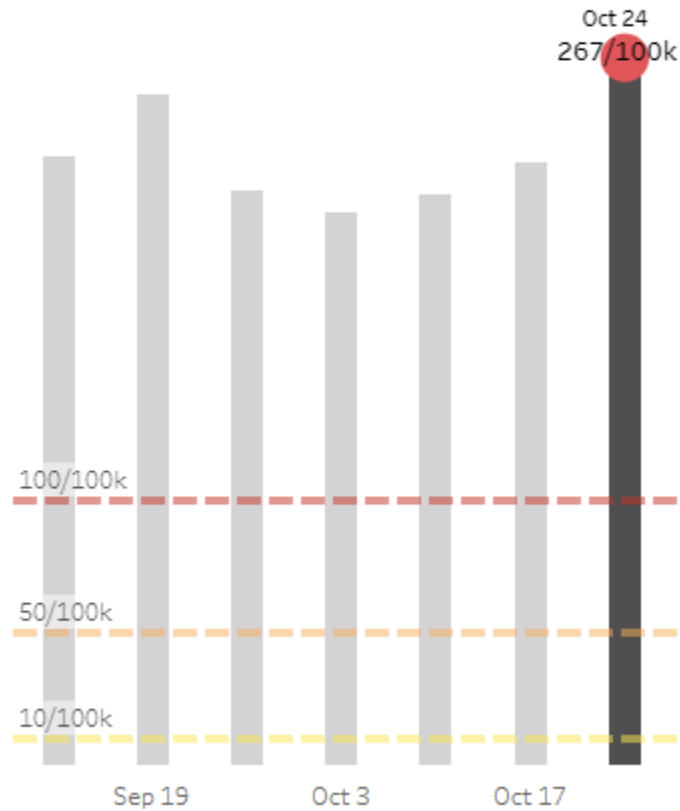
Community Transmission: Yavapai

Showing data for **Yavapai County**

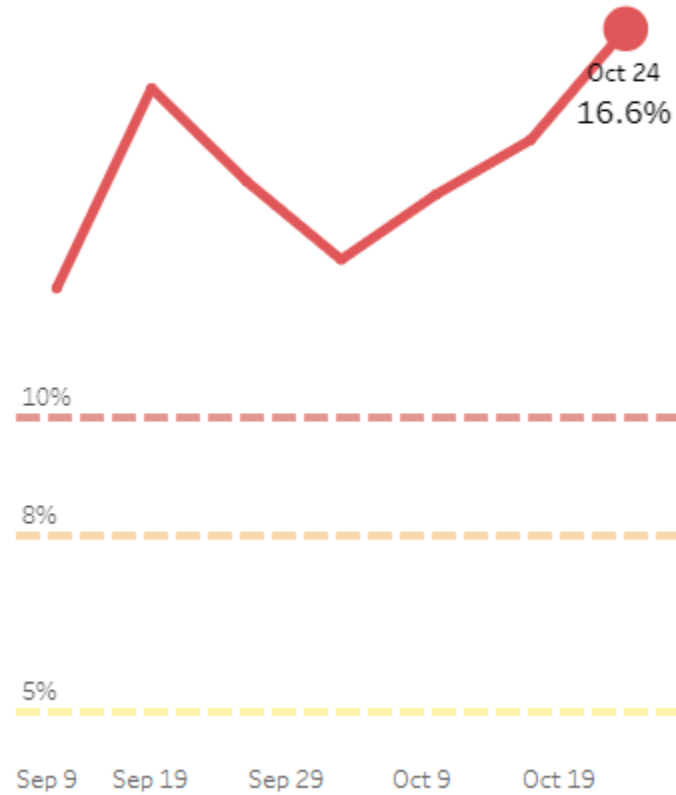
High Transmission

Hover for more information.

Cases per 100,000 individuals: **High**



Percent positivity: **High**

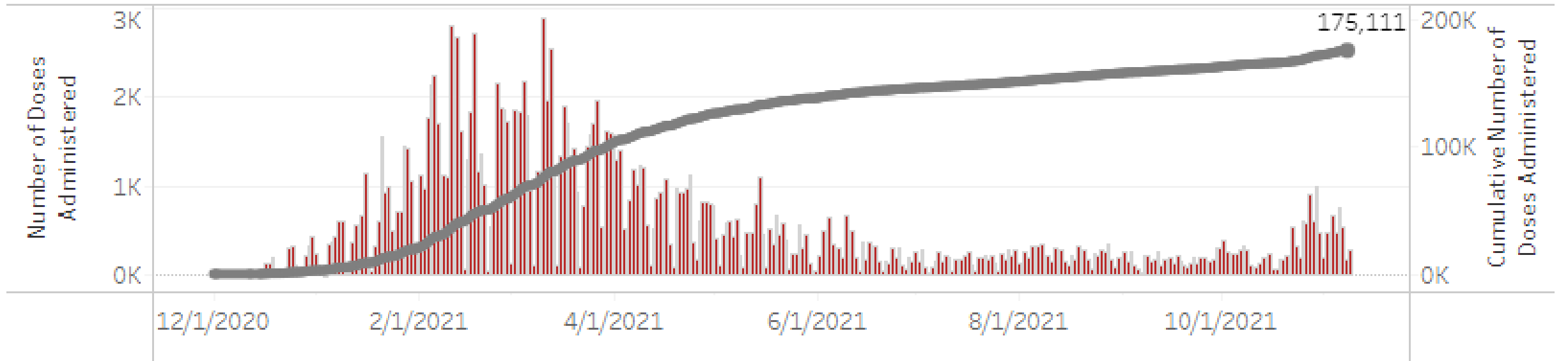


Date Updated: 11/4/2021



Vaccinations: Coconino

The number of doses administered by administration date (■ cumulative sum ■ doses by day)



Vaccinations: Yavapai

The number of doses administered by administration date (■ cumulative sum ■ doses by day)

