

## ORDINANCE NO. 1080

### AN ORDINANCE OF THE CITY OF RAINIER ESTABLISHING RULES AND REGULATIONS FOR VACATION RENTAL DWELLING (VRD)

1. **Purpose.** The Vacation Rental Dwelling (VRD) Permit is in recognition of the desire of some residents to rent portions of their property on a short-term basis. These standards and procedures are in addition to City ordinances and Federal and State laws and regulations.
2. **Standards.** In all zones allowing VRDs, a permit shall be issued as an accessory use and in accordance with the administrative conditional use provisions provided the application can demonstrate by written application that all of the following standards are met:
  - A. **Maximum Allowed Rentals.** No more than half of the bedrooms of a single family dwelling may be made available for short-term rental. Separate or detached structures do not count towards that limit.
  - B. **Parking.** One 9' x 18x off-street space will be provided for each bedroom in the unit that is available for short-term rental, but in no event shall fewer than two spaces be provided.
  - C. **Number of Occupants.** The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom available for short-term rental. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Fire Marshal at the time of inspection for valid code reasons.
  - D. **Residential yard areas.** Front, side and rear yards must maintain a residential appearance by limiting off-street parking within yard areas. At least 50 percent of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.
  - E. **Local responsible party.** A local responsible party that permanently resides within the county must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City, and to the immediate neighbors within the notification area (within 200 feet of the subject property).
3. **Notice and Administrative Decision.** Upon submittal of a complete application, notice of the request shall be mailed to all property owners within 200 feet of the property.
4. **Appeals.** Within 15 days of the administrative decision, the decision may be appealed.
5. **Approval conditions.** All approval must include the following conditions:
  - A. Vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor and solid waste collection. Weekly solid waste pick-up is required during all months.
  - B. Prior to issuance of a vacation rental dwelling permit, the building in question must be inspected and be in substantial compliance with the Uniform Housing Code. Those inspections can be conducted by a licensed professional with expertise on fire, life and safety issues.

- C. It is the property owner's responsibility to ensure that the vacation rental dwelling remains in substantial compliance with the Oregon State requirements for the following: Health, Safety, Building and Fire Codes, and Traveler's Accommodation Statutes and with the Uniform Housing Code.
- D. Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with this Section.
- E. A City Business License is required, and any transient room tax provisions apply to VRDs. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are 30 days past due, the VRD Permit will be revoked unless a written extension is granted by the City Administrator.
- F. Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a VRD, or by notice that requirements or conditions of approval are not being met, the City will work with the parties involved to settle any conflicts. Failure on the applicant's part to meet the standards or conditions will result in denial of the application. If the problems are not resolved, the City Administrator has the authority to revoke the VRD Permit. The owner may appeal the Administrator's decision to the City Council.

Passed by the City of Rainier council and approved by the mayor on the 2nd date of August, 2021.

BY: \_\_\_\_\_

Jerry Cole, Mayor

ATTEST: \_\_\_\_\_

BY: \_\_\_\_\_

Scott Jorgensen, City Administrator