

CHAPTER 5.25 VACATION RENTALS AND HOMESHARES
ORDINANCE 2.0 DRAFT REVISION SUMMARY

5.25.030 Definitions

1. Advertisement – Incorporates Admin Reg that advertising is operating
2. Apartment – Apartments/MFDs currently lose Reg Certs Jan 1, 2019
3. Bedroom - Change from 120 sq ft to 100 sq ft to recognize existing architectural significant homes eg Alexander homes; allow no closet requirement if reasonable storage provided with reasonable ingress/egress of no less than 24 inches.
4. Business Entity – Removing this definition throughout. All entities must present documentation regarding ownership. One financial interest in a VR
5. Condominium – Multi-unit, multi-family property that may be permitted as VR/HS;
6. Daytime/Daytime Occupancy – Revised to 8am and 10pm, from 10am to 10pm
7. Drone - Prohibit guest use of drone at a vacation rental
8. Exchange – Definition add if owner only Exchanges, no cert needed
9. False Claim – Definition add to enable stronger enforcement
10. Good Standing – Definition add for future Admin Regs/acknowledging compliance
11. Hardship Adjustment – Definition add for future Admin Regs for HS only with special circumstances
12. Hotline – Requires caller to provide their information
13. Operation or Operating –Definition add to advertising, interacting with the intent to rent.
14. Property – Permanent structure or a mobile or manufactured home with a permanent foundation on a legal residential lot
15. Rewards Program - New concept for Admin Reg to reward good operators
16. Subcommittee – Definition add for Subcommittee to authorize in lieu of City Manager, eg. Rewards Program, Hardship Adjustments
17. Vacation Rental - a single-family dwelling, one unit in an owner occupied duplex, a Condominium, provided in a transaction involving monetary consideration, and utilized for Daytime or Overnight Occupancy, for lodging or sleeping purposes, or for temporary occupancy or use, including without limitation City-permitted events or film-shoots, without the Owner being present for a period of twenty-eight (28) consecutive days or less

5.25.040 Registration Certificate Required

1. (b) Allows for entities to apply provided we can determine each owner
2. (e) Changes City ID to be posted on all advertising (not TOT #). If tech problem removes this, burden on owner to prove
3. (g) Adds if exclusively Exchanging, no Registration Certificate required
4. (h) and (i) Clarifies occupancy and registration for VR and HS Estate Homes

5.25.050 Agency

1. Adds duty of Agent to promptly notify Owner of all Regs, citations, requirements or policy changes
2. Clarifies if Exclusive Listing Arrangement with Agent, owner may not advertise.
3. Adds requirement to have worker's comp insurance for Agents per state law.
4. Adds clarification regarding Registration Cert status if Agency/owner relationship terminated

5.25.060 VR and HS Registration Certificate Requirements, Application

1. (a)(11) Indemnification and hold harmless the City of Palm Springs
2. (a)(15) Pool Compliance Statement – to be performed every 5 years
3. (c) Incorporate the transfer fee approved by FY18/19 Resolution at \$150 per transfer. First transfer is \$100 in a CY, and \$150 each subsequent in the same CY
4. (l) Clarifies that the Registration Cert does not transfer with the sale of the property and seller must close, owner must apply
5. (m) Allows Interim Operations with a Temporary Permit

5.25.070 Operational Requirements and Standard Conditions

1. (b) Adds charitable use of VR property without it being counted against annual contract limit upon approval by Compliance Official based on proof
2. (c) Adds special events, film shoots as a Contract as neighbors are impacted (in the total count and for submittal of Contract summary)
3. (d) Clarifies friends and family are total of 5 surnames (regardless of # of owners) (are not a Contract, or in the total count, no Contract summary required). F&F must comply with all other regs, Good Neighbor Brochure, Statement of Rules and Regs
4. (g) Clarifies advertising over-occupancy is a violation; 2 children aged 12 or under must be specifically called out
5. (i) Adds up to 2 Daytime cars as invited by Responsible Party; adds onsite parking must be used first, allows 60 minutes for an agent/owner to remedy the violation.
6. (j) Adds recreational vehicles, trailers, (non-permanent structures) cannot be used for occupancy
7. (p) Adds disturbance by animals is considered noise.
8. (r) Prohibits use of drones by guests, but not by owner.
9. (s) Responsible person to provide ID or be subject to eviction request by the Enforcement Official
10. (t) Removes requirement for license plate numbers of all guest
11. (y) Trash violations are not counted for suspension purposes, allows 60 minutes for an agent/owner to remedy the violation
12. (z) Clarifies that housekeeping and concierge services may occur on the weekends.
13. (aa) Allows for a live digital video conference Meet and Greet

14. (ee) Adds that if TOT is not reported or paid in 30 days, issue \$500 fine each month the TOT is delinquent
15. (ii) Adds Rewards Program may be developed by Subcommittee
16. (kk) Insurance coverage of 500K general liability and 1 million umbrella policy

5.25.075 Special Prohibitions

1. Continues to not allow additional Apartments to obtain a Registration Certificate, keep the deadline of 1/1/19 to stop short term operations at MFD or APT, unless they meet R-1 occupancy under building and fire code
2. (f) Adds that operating beyond 60 days without obtaining a renewal Reg Cert is prohibited

5.25.080 Audit

1. (a) Adds timeline for providing requested financial docs to Enforcement Official at end of 15th business day
2. (c) Adds operational audit requirements

5.25.090 Violations

1. (c) Changes administrative citation issued to guests only from \$500 to \$250
2. (e) Adds 1 administrative citation will be issued when multiple violations occur during a single incident
3. (f) Exclude citations issue for trash and parking from suspension count and
4. Allows for suspension to take to take place within 2 months of suspension issuance
5. \$500 administrative citation for all owner violations
6. (m) Adds 100% penalty if any fees are not paid timely (not citations)
7. Estate Home Registration Cert is suspended after 3 strikes in 24 month period, and revocation of LUP without Planning Commission hearing
8. Clarifies that a suspended property remains suspended regardless of ownership transfer
9. (o) Adds that no pre-citation is required prior to citation issuance.