

CITY OF OGDEN VALLEY PLANNING COMMISSION PUBLIC NOTICE

Subject: Proposed modifications to Chapter 108-11 Short-Term Rentals

Notice Date: May 15, 2026

Public Hearing Date: May 26, 2026

Location: 7474 East 200 South, Huntsville, Huntsville Town Council Chambers

Summary of Proposed Short-Term Rental Standards:

The proposed changes create a structured system to regulate short-term rentals by requiring approvals, licenses, and inspections, while setting clear limits on occupancy, parking, and noise. They also prohibit rentals in certain housing types, require a responsive local agent, and strengthen enforcement with fines and penalties. Overall, the updates aim to support tourism while protecting neighborhood stability and long-term housing availability.

Key Changes Include:

- **Sec 108-11-1 Purpose and Intent**

[Short-term rentals, when properly and legally executed, can be a viable means to bring capacity, diversification, and alternate lodging options for visitors to the valley. However, it is recognized that short-term rentals can also cause great stress and disruption to areas or neighborhoods where they might exist.](#)

[On the positive, there is plenty of evidence to suggest that in the absence or hotels/motels short-term rentals can be good for tourism and the local economy. On the downside, they drive away long-term rentals and raise typical rental rates making it difficult for tourist communities to attract lower to medium wage labor workers needed for the community.](#)

[There are multiple studies done suggesting that an influx of short-term rentals can create a loss in social capital:](#)

[Social capital is a term used to describe those assets of a community that are hard to measure, but vital for its health and resilience—such as relationships among neighbors and the voluntary contributions made by individuals to the betterment of their community. Every time a home that would otherwise be occupied by a full-time resident is converted into non-resident use, there is a loss of social capital in the community. If the home is subsequently rented as transient lodging, there can be additional impacts on the neighborhood such as noise, trespassing, and upward pressure on housing prices.](#)

Short-term rentals by their very nature, remove the possibility for homes, condos, etc., to be used as long-term rentals. They also remove the possibility for more properties to be available for full-time purchase and residency. The city's desire is to see more available long-term rental properties and/or purchase options for full-time residents. By doing this, a result of stable, connected, safe neighborhoods throughout the valley is achieved.

The intent of this Chapter is to establish procedures and standards by which residential short-term rentals can be provided to visitors and tourists in a manner that protects both the quality of their experience and also address the stated concerns of valley residents.

- **Sec 108-11-4 Application Procedure**

Submission of the name, address, phone number and email information of the property owner(s)

In addition, the submission of the name, address, phone number and email information of the property's local, licensed, insured, and incorporated management company, if being used by the property owner(s).

~~associated with the individual or management company being designated as the Responsible Agent and any other back-up Responsible Agent, as required by Section 108-11-7;~~

Signed and notarized acknowledgement by the owner and/or Responsible Agent ~~their management company~~, if used, that they have read this short-term rental ordinance and understand the licensing, operational standards, ~~and~~ violation and revocation provisions; and any other included terms deemed proper and necessary by the city.

All application fees, licensing fees, administrative fees, lodging fees, and enforcement fees as set forth by the city.

- **Sec 108-11-5 Property Inspection**

The ~~County~~City, will at its discretion, may require that a property be inspected prior to the renewal of an existing license. The Planning Division shall ~~have the option of~~ designate ~~ing~~ a ~~city~~county inspector ~~or a third-party building inspector~~, at the applicant's expense. Should the property fail the inspection, the owner shall have ~~90~~60 days to bring their property into compliance or the license will be suspended. A license may be immediately suspended if life/safety concerns arise during the

inspection. If a license is suspended, the property owner must rectify the concerns that led to the suspension prior to the license reinstatement.

- **Sec 108-11-7 Responsible Agent**

Safety. A Responsible Agent is not required to, and should not, place themselves in a situation that could cause them physical harm in order to attempt to address a complaint, [but should notify appropriate local authorities to address the complaint. Proof of this action must be supplied to the city enforcement department within 24 hours.](#)

- **Sec 108-11-8 Operating Standards**

~~A greater maximum occupancy may be approved following additional review and approval of applicable reviewing agencies and the provision of additional components that would otherwise limit capacity including, but not limited to, fire suppression systems, parking capacity, septic/sewer capacity, culinary water rights, and the number of available sleeping rooms.~~

~~Single Contract. With exception to condominiums approved to allow a short-term rental within a lockout sleeping room, owners shall not concurrently rent individual rooms or areas to more than one unrelated party for the same night or nights.~~

- **Sec 108-11-9 Complaints and Violations**

~~Violations shall be any violation within a 12-month period of the short-term rental operational standards as provided in Section 108-11-8~~ For the purposes of this chapter violations for licensed short-term rental properties shall be classified as either a Minor Violation or a Major Violation. Violations for unlicensed rental properties shall be classified as an Unlicensed Violation.

~~**Minor violations.** A Minor Violation shall be any violation of the short-term rental operational standards as provided in Section 108-11-8.~~

~~Owners will be given one warning following their first Minor Violation within any consecutive 12 months. If this warning is subject to a static and prevailing concern, owners shall be given three calendar days to correct the issue or the warning will become a documented Minor Violation.~~

~~After two Minor Violations within 12 consecutive months, the owner shall be issued a Major Violation on the third occurrences.~~

~~Each Minor~~ Violations shall be subject to an administrative penalty as provided in Section 108-11-10.

~~Major Violation. A Major Violation shall consist of the failure of the Responsible Agent to perform their responsibilities as provided in this chapter, or the third and subsequent Minor Violations within a 12 month consecutive time frame:~~

~~Owners will be given one warning in the event of a responsible agent failing to perform their responsibilities within each calendar year:~~

~~Each major violation shall be subject to administrative penalties as provided in Section 108-11-10:~~

Unlicensed violation. An unlicensed violation is committed upon the rental of an unlicensed property on a short-term basis. ~~Owners will be given one warning~~ Each violation ~~thereafter~~ shall be subject to administrative penalties as provided in Section 108-11-10.

- **Sec 108-11-10 Administrative Penalty**

Sec 108-11-10 Administrative Penalty

[First violation receives a warning](#)

[Second violation is a \\$500 fine or the full amount of the rental agreement in place during the violation, whichever is greater.](#)

[Third violation, license will be revoked and not available to reapply for 3 years.](#)

~~Any person found in violation of any provision(s) of this Chapter is liable for an administrative penalty in the form of a monetary fine. Failure to pay citation fines in full to Ogden Valley City within 10 business days of receiving notice of citation will result in a late penalty of \$250/day. based on the property's average nightly rate, not to exceed the maximum allowed by state statute. The average rental rate of the property shall be determined through the advertised nightly rental rate. After the first day the violation occurs, each day that the violation remains unresolved shall carry an additional daily administrative penalty in the same amount. The amounts shall be determined as follows:~~

~~Minor violations. Monetary fines shall be 50 percent of the advertised nightly rental rate up to the maximum state allowance on the date(s) of the violation.~~

~~Major violations. Monetary fines shall be 100 percent of the advertised nightly rental rate on the date(s) of the violation up to the maximum state allowance.~~

~~Minor violations will incur an additional \$100/day fee if the initial fee is not paid/received by the city within the stated required time.~~

~~Unlicensed violations. Monetary fines shall be 200 percent of the advertised nightly rental rate on the date(s) of the violation up to the maximum state allowance.~~

Unlicensed violations shall receive a written notice of infraction and cease-and-desist order and incur a fine of \$1500 payable to the city within 10 days of receipt. Failure to pay citation fines in full to Ogden Valley City within 10 business days of receiving notice of citation will result in a late penalty of \$250/day.

A second violation of an unlicensed short-term rental shall receive a written notice of infraction and double the fine of the first violation.

A third violation of an unlicensed short-term rental results in a \$10,000 fine and becomes a misdemeanor that can be prosecuted in criminal court.

Failure to pay fines shall result in a lien on the property.

Utah Code 10-8-85.4 allows the city to take additional action against unlicensed short-term rental owners.

~~In the event the County cannot determine the average nightly rental rate of a specific rental, the average rental rate of the violation dates within the planning area shall be used.~~

Any short-term rental properties, licensed or unlicensed, in violation of unpaid fees, will be subject to a property lien.

Sec 108-11-11 License Revocation

Revocation due to minor violations.

~~If a short-term rental unit has four minor violations within three consecutive months, or six minor violations within twelve /nine?consecutive months, the short-term rental license shall be revoked in accordance with the provisions of Section 102-4-3.~~

If a short-term rental license is revoked due to an accumulation of minor three violations, for a minimum of ~~one/two~~ three years following the revocation, the ~~County~~city shall not accept an application for a new license for the same short-term rental unit; without exception? ~~with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose license was revoked, may be considered.~~

—~~Revocation due to major violations.~~

~~If a short-term rental unit has two major violations within three consecutive months, or four major violations within twelve nine? consecutive months, the short-term rental license shall be revoked in accordance with the provisions of Section 102-4-3.~~

~~If a short-term rental license is revoked due to major violations, for a minimum of two three? years following the revocation, the County shall not accept an application for a new license for the same short-term rental unit; without exception? with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose license was revoked, may be considered.~~

~~Revocation process. In addition to the process explained herein, license revocation shall follow the procedure specified in Section 102-4-3.~~

[Any legally operating short-term rental operating with a valid business license that is determined to be a nonconforming use upon the date of this ordinance shall be amortized and terminated within two \(2\) years of the adoption of this ordinance. Upon expiration of the amortization period, all nonconforming short-term rental activity must cease.](#)

Affected Properties

No map changes are proposed with these ordinance amendments.

Reviewing Documents

The draft Short-Term Rental ordinance language is available for public review at the City offices and through the City's public meeting webpage.

- **Online:** https://ogdenvalley.gov/?post_type=public-meeting&p=633

- **In-Person:** 7474 East 200 South, Huntsville
Mondays and Wednesdays 9 am to 1 pm
Thursdays 1 pm to 5 pm

Providing Comment

All interested parties are invited to attend the public hearing or submit written comments.

Written comments may be submitted prior to the hearing via:

- **Email:** planning@ogdenvalleyut.org
- **Mail:** P.O. Box 6, Eden 84310

ADA Accommodations

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Kay Hoogland, Council Member, at 847-404-7770 or by email at khoogland@ogdenvalleyut.org at least 24 hours prior to the hearing.

Chapter 108-11 Short-Term Rentals

[Sec 108-11-1 Purpose And Intent](#)

[Sec 108-11-2 Applicability](#)

[Sec 108-11-3 Prohibitions](#)

[Sec 108-11-4 Application Procedure](#)

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[Sec 108-11-9 Complaints And Violations](#)

[Sec 108-11-10 Administrative Penalty](#)

[Sec 108-11-11 License Revocation](#)

Intent

Sec 108-11-1 Purpose And

There are benefits to allowing owners of a residential unit within the [County](#) to rent their dwelling unit for short periods of time. Short-term rental of a dwelling unit also brings capacity and diversification to the visitor-accommodation market. However due to the potential for adverse impacts, a short-term rental must be regulated by the [County](#) to protect the health, safety, and welfare of owners, neighbors, and visitors. The intent of this Chapter is to establish procedures and standards by which a residential short-term rental can be provided to visitors and tourists in a manner that protects both the quality of their experience, and the communities in which they are located.

Short-term rentals, when properly and legally executed, can be a viable means to bring capacity, diversification, and alternate lodging options for visitors to the valley. However, it is recognized that short-term rentals can also cause great stress and disruption to areas or neighborhoods where they might exist.

On the positive, there is plenty of evidence to suggest that in the absence of hotels/motels short-term rentals can be good for tourism and the local economy. On the downside, they drive away long-term rentals and raise typical rental rates making it difficult for tourist communities to attract lower to medium wage labor workers needed for the community.

There are multiple studies done suggesting that an influx of short-term rentals can create a loss in social capital:

Social capital is a term used to describe those assets of a community that are hard to measure, but vital for its health and resilience—such as relationships among neighbors and the voluntary

contributions made by individuals to the betterment of their community. Every time a home that would otherwise be occupied by a full-time resident is converted into non-resident use, there is a loss of social capital in the community. If the home is subsequently rented as transient lodging, there can be additional impacts on the neighborhood such as noise, trespassing, and upward pressure on housing prices.

Short-term rentals by their very nature, remove the possibility for homes, condos, etc., to be used as long-term rentals. They also remove the possibility for more properties to be available for full-time purchase and residency. The city's desire is to see more available long-term rental properties and/or purchase options for full-time residents. By doing this, a result of stable, connected, safe neighborhoods throughout the valley is achieved.

The intent of this Chapter is to establish procedures and standards by which residential short-term rentals can be provided to visitors and tourists in a manner that protects both the quality of their experience and also address the stated concerns of valley residents.

HISTORY

Adopted by Ord. 2023-01 on 1/10/2023

Sec 108-11-2 Applicability

This chapter applies to a short-term rental use in ~~the unincorporated area of Weber County~~Ogden Valley City, where allowed by ~~the~~-zone. The following requirements apply to all short-term rentals.

Approval required. **Except where specifically allowed** otherwise in this Land Use Code, it is unlawful for an owner to rent any property for a time period of less than **30** days within ~~the unincorporated area of Weber County~~Ogden Valley City without short-term rental approval pursuant to this chapter.

Licenses, land use permits, and other applicable law. A short-term rental use requires a short term rental license, as provided herein, a commercial business license, as provided in Title 14, and shall only be conducted in a residential unit with all appropriate land use permits, building permits, certificates of occupancy, and any other approval as required by this Land Use Code, other County codes, and State and Federal law.

HISTORY

Adopted by Ord. 2023-01 on 1/10/2023

Sec 108-11-3 Prohibitions

A short-term rental license will not be issued for any of the following:

Building not approved for residential occupancy. A short-term rental is not allowed in any building unless it has received approval for a residential use, and has a certificate of occupancy.

Accessory dwelling unit. A short-term rental is not allowed in an accessory dwelling unit.

Restricted housing. A short-term rental is not allowed in a dwelling unit that has been reserved for workforce housing.

Private covenants. A short-term rental license is invalid if issued for any property that is subject to private covenants that prohibit the property's availability for short-term rentals. This applies regardless of how the private covenants are labeled, and regardless of whether or not the private covenants are enforced by a homeowners association or committee.

HISTORY

Adopted by Ord. ~~2023-01~~ on 1/10/2023STR

Sec 108-11-4 Application Procedure

Application for short-term rental business license. The application and review procedure for a short-term rental license shall include the requirements outlined in the business license procedure and as follows:

Application submittal requirements.

Proof of ownership of the lot;

A site plan drawn accurately to scale that shows property lines and dimensions, and that includes the following:

Driveway;

Parking plan demonstrating compliance with the parking standards established in Section 108-11-8, and any other relevant parking standard found in Chapter 108-8;

Existing fencing or perimeter screening, if applicable;

Trash disposal and collection plan demonstrating compliance with the trash disposal and collection standards established in Section 108-11-8; and

Outdoor lighting plan showing compliance with Chapter 108-16, including the replacement of all nonconforming outdoor lighting on the property;

Detailed floor plan of the building or buildings to be used for short-term renting, indicating all areas allowed to be occupied or used by short-term rental occupants;

Commitment to serve, also known as a will-serve letter, from the utilities providing culinary water and sanitary sewer services, or, if the short term rental will be served by a well or septic system, the local health department. The will-serve letter shall **specify the maximum occupancy or number of sleeping rooms allowed** to be associated with the short term rental use.

Submission of a building permit and associated land use permit, unless no building modifications are required in order to attain compliance with building codes, in which **case, certificates** of occupancy shall be submitted;

Submission of the name, address, phone number and email ~~and contact information~~ information of the property owner(s)

In addition, the submission of the name, address, phone number and email information of the property's local, licensed, insured, and incorporated management company, if being used by the property owner(s), associated with the individual or management company being designated as the Responsible Agent and any other back-up Responsible Agent, as required by Section 108-11-7;

“

Signed and notarized acknowledgement by the owner and/or Responsible Agent ~~their management company~~, if used, that they have read this short-term rental ordinance and understand the licensing, operational standards, ~~and~~ violation and revocation provisions; and any other included terms deemed proper and necessary by the city.

~~An application fee as set forth by the County.~~

All application fees, licensing fees, administrative fees, lodging fees, and enforcement fees as set forth by the city.

Complete Application Required. A license shall not be issued unless each of the city's ~~County's~~ requirements are completed in full, as determined by the City ~~County~~-Planning Department.

Review procedure.

Staff review. Upon submittal of a complete short-term rental application, Planning Division or staff will review the application to verify compliance with this chapter and any other relevant component of this Land Use Code.

Agency reviews. Planning Division or staff will route the application to the local Fire Authority and Building Official, for verification of compliance, determination of need for application modifications, and for the submittal of other applications or reviews necessary to obtain their approval of a license, if applicable. The short-term rental applicant shall comply with local regulations and ordinances for a residential dwelling. Written Approval is required from the aforementioned authorities, departments, and agencies.

License issuance. If the application complies with relevant land use laws and receives all required department and agency approvals, the license shall be issued after the initial property inspection, pursuant to Section 108-11-5, finds that the proposed short-term rental is in compliance with the requirements of this chapter.

Conditions of approval. The Land Use Authority may apply conditions of approval based on the standards listed in Section 108-4-5.

Short-term rental business license required. A short-term rental business license is required to operate a short-term rental on each property where a short-term rental is located.

License Renewal. Existing licensees must submit for license renewal and pay the required fee by no later than December 1st of each year, regardless of the date of the initial license issuance. Owners wishing to renew a license must provide the following:

License renewal application;

Inspection report, if required by Section 108-11-5;

Evidence of tax remittance from the year prior; and

Any other documentation required by the Countycity.

~~HISTORY~~

~~Adopted by Ord. 2023-01 on 1/10/2023~~

Sec 108-11-5 Property Inspection

Initial property inspection. Properties applying for their first short-term rental license shall be inspected for compliance with the provisions of this chapter and other applicable sections of this Land Use Code. The Planning Division shall ~~have the option of designating an a county~~ inspector ~~or may allow a 3rd party building inspector,~~ at the applicant's expense. Any code deficiencies applicable to the structure at the year of construction and occupancy found during this initial inspection, as well as any health, safety, and welfare issues identified during inspection, shall be resolved to the satisfaction of the inspector prior to the issuance of a short-term rental license.

License renewal property inspection. The ~~CountyCity, will at its discretion, may~~ require that a property be inspected prior to the renewal of an existing license. The Planning Division shall ~~have the option of designating a citycounty~~ inspector ~~or a third party building inspector,~~ at the applicant's expense. Should the property fail the inspection, the owner shall have ~~9060~~ days to bring their property into compliance or the license will be suspended. A license may be immediately suspended if life/safety concerns arise during the inspection. If a license is suspended, the property owner must rectify the concerns that led to the suspension prior to the license reinstatement.

Property inspection after violation. If the ~~County city~~ receives complaint or notice of violation of any applicable ~~County city~~ regulations at any time, the Planning Division may request an inspection to determine compliance with the regulations. Failure to allow the inspection and/or comply with the results of the inspection ~~may will result in additional minor or major violations (see Sections 108-11-9 through 108-11-10, below).~~

~~HISTORY~~

~~Adopted by Ord. 2023-01 on 1/10/2023~~

Sec 108-11-6 Applicable Taxes And Remittance

An owner of a short-term rental is ~~responsible~~ required ~~to for collecting~~ and ~~remitting~~ all applicable state and local taxes, either through a third-party agency or individually. Owners who fail to collect and remit applicable taxes shall not be eligible for annual license renewal. The ~~County city~~ reserves the right to conduct routine tax audits to verify appropriate tax remittance of any short-term rental at any time, ~~and/or~~ prior to license renewal.

~~HISTORY~~

~~Adopted by Ord. 2023-01 on 1/10/2023~~

Sec 108-11-7 Responsible Agent

Appointment of agent. The owner of a short-term rental shall appoint a Responsible Agent for the rental property. This appointed Agent may be the owner or designee, independent ~~licensed, insured, and incorporated~~ property manager, or a professional property management company. ~~entity~~ The appointed Responsible Agent shall be on-call to manage the property during any period within which the property is

occupied. This Agent must be able to respond, in person if needed, within 30 minutes of receiving notification of the complaint to address any complaints that may arise from the operation of the short-term rental. Designating one or more back-up agents is strongly advised to ensure this responsibility is fulfilled. The failure of a Responsible Agent to respond constitutes a ~~major~~ violation, pursuant to Section 108-11-9.

Safety. A Responsible Agent is not required to, and should not, place themselves in a situation that could cause them physical harm in order to attempt to address a complaint, but should notify appropriate local authorities to address the complaint. Proof of this action must be supplied to the city enforcement department within 24 hours.

Notification of agent change. The owner shall notify the Planning Division within seven calendar days of a modification to the appointed Responsible Agent and shall provide the name, address, and telephone number of any newly appointed agent. It is the owner's responsibility to update this information throughout the term of the license. Failure to comply with these notice requirements will result in a violation.

HISTORY

Adopted by Ord. 2023-01 on 1/10/2023

Sec 108-11-8 Operating Standards

Information Dissemination Requirements. The owner shall post the following information in a prominent and visible location on the property:

Internal posting. Each licensed short-term rental property shall have the following information posted in a conspicuous location where it can be easily viewed by tenants:

~~Short-Term Rental License number;~~ a copy of the current STR license

Contact information for the owner **and** responsible agent, including a phone ~~numbe~~ number(s) for 24-hour response to emergencies;

The property's maximum occupancy;

The property-specific parking plan, including the maximum number of vehicles allowed to be parked on the property, the location of parking for large vehicles or trailers, the prohibition of parking in the public right-of-way, and all other applicable parking rules;

Map and description of the locations of fire extinguishers and emergency egress routes;

~~Generally~~ applicable requirements regarding noise, parking, trash pickup, and fire restrictions that will foster good neighbor relations;

Current fire restriction information, as disseminated through the Weber County Fire District website; and

Any other information deemed necessary by the reviewing agencies to ensure the public's health and safety.

Street addressing. Each licensed short-term rental property shall have its assigned street address posted externally in a conspicuous location where it can be easily viewed day or night from the adjacent street or access way.

Advertising requirements. As provided in UCA ~~17-50-338, 10-8-85.4XX~~ the following advertising requirements are not intended to prohibit an individual from listing a property for short-term rental on any short-term rental website. All advertising for a short-term rental property shall include the following information in searchable plain text:

The property's short-term rental license number.

The property's maximum permitted occupancy.

Maximum parking capacity, including the availability for parking of large vehicles or trailers.

A digital link to the ~~County's/city's~~ short-term rental regulations.

The following language shall be included verbatim in a prominent location of the advertisement: "Any advertisement for a short-term rental property in ~~unincorporated Weber County, Ogden Valley City,~~ Utah, that does not provide a unique license number is unlikely to be a lawfully licensed short-term rental." ~~and~~

~~—Occupancy.~~

Occupancy Limits. The maximum occupancy for a short-term rental property shall be no more than two people per bedroom, plus four people, ~~for~~ up to a maximum of 10 people per short-term rental, and is subject to the following:

A property's maximum occupancy may be reduced due to a property's unique characteristics, including, but not limited to, parking constraints or septic/sewer system capacity. ~~and~~

~~A greater maximum occupancy may be approved following additional review and approval of applicable reviewing agencies and the provision of additional components that would otherwise limit capacity including, but not limited to, fire suppression systems, parking capacity, septic/sewer capacity, culinary water rights, and the number of available sleeping rooms.~~

~~**Single Contract.** With exception to condominiums approved to allow a short-term rental Example of this? within a lockout sleeping room, owners shall not concurrently rent individual rooms or areas to more than one unrelated party for the same night or nights.~~

External sleeping accommodations prohibited. All sleeping accommodations must be maintained internal to the licensed dwelling unit as indicated by the floor plan that was submitted and approved during the licensing process. External accommodations such as yurts, teepees, tents, recreational vehicles/travel trailer, other temporary structures, or any similar accommodation, may not be used for sleeping accommodations or as a means to increase the maximum permitted occupancy. Recreational vehicles belonging to renters may be brought onto sites large enough to allow space for parking. Such parking shall be on improved, hard surface areas.

Duration. No licensed short-term rental unit may be rented for less than two consecutive nights, ~~with exception to property in the DRR-1 zone.~~

Parking. In addition to the parking requirements for dwellings, as outlined by Section 108-8-2, the following parking regulations are also required for all licensed short-term rental properties.

At least one parking space measuring a minimum of nine feet by 20 feet shall be provided for each two sleeping rooms offered, but never less than two parking spaces.

All vehicles of occupants and visitors of a short-term rental property shall be parked only **within the property's boundary lines and** in accordance with the approved parking plan. Additionally, up to, but no greater than, 25% of the property's front or side yard setbacks may be used for parking.

No parking is allowed within the property's adjacent rights-of-way.

No vehicles shall be parked on the lawn or landscaped areas of the property.

No vehicles with a passenger capacity of greater than **Eight (8)** persons may be parked at the property.

Trailers and oversized vehicles shall be parked in the locations designated on the approved parking plan. Trailers and oversized vehicle parking shall be a minimum ten feet by 45 feet and an area for reasonable access and maneuvering to the space shall be provided.

A map of the property, showing parking locations and property lines, shall be provided.

Noise. Between the hours of 10:00 pm and 8:00 am, no sound exceeding 50 dB, and no amplified or reproduced sound, shall be allowed as measured from the property line.

Nature of use. The short-term rental shall remain consistent with the residential nature of the area. As such, no commercial operations shall be permitted in the home or on the property in connection with the short-term rental. This shall include large events that exceed the normal occupancy of the stated limit (see Section 108-11-8 (c) above) at any time on the property. Prohibited uses/events shall include, but are not limited to, receptions, luncheons, weddings, retreats, and similar commercial uses or events. Catering of food, erection and use of temporary shelters, tents, canopies, and other similar structures, and outside employees and/or staff are expressly prohibited.

Trash disposal and collection. All short-term rental properties shall provide a trash disposal and collection plan at the time of license application to ensure that trash containers are not left outdoors where they can cause issues for wildlife, snow removal operations, or cause unsightliness. With exception to the property's assigned trash pick-up day, trash containers must be stored behind the property's front setback line and positioned next to the house. All trash shall be placed within appropriate receptacles. The designated responsible agent shall ensure that any trash generated that exceeds the typical pick-up schedule is collected and removed from the property as needed. Properties with larger maximum permitted occupancies may require the procurement of additional trash cans to accommodate the volume of anticipated trash being generated.

Outdoor lighting. Incorporated herein for all properties located in ~~unincorporated Weber County~~Ogden Valley City desiring a short-term rental license, all outdoor lighting associated with a short-term rental shall at all times comply with the exterior lighting requirements set forth in Chapter 108-16 of the Land Use Code. All nonconforming outdoor lighting shall be replaced with conforming lighting prior to the issuance of a short-term rental license.

Signage. On-site signage intended to advertise the property as a short-term rental is not permitted anywhere on the property or adjacent right-of-way.

Fire safety.

The property must have primary access along a public right-of-way or access easement that meets the fire marshal's requirements for a fire access road.

The property must have a fire prevention system as approved by the fire marshal.

Outdoor fire pits must be permanently affixed with concrete or hard-surface aprons, or as otherwise approved by the fire authority. Only natural gas or propane gas fire pits are allowed within the Wildland-Urban Interface.

<https://www.usfa.fema.gov/wui/>

Smoke and carbon monoxide detectors must be installed and maintained per current building and fire codes.

Fire extinguishers must be placed in an approved location on each level of the property and adjacent to outdoor fire pits.

An emergency egress plan must be posted in a conspicuous location on each level of the property.

Properties located within the Wildland-Urban Interface (WUI) area shall comply with the current Wildland-Urban Interface code requirements. <https://www.usfa.fema.gov/wui/>

Animals.

Animals shall be kept on leash while outdoors on the property.

No animal shall be allowed to roam freely without supervision.

Owner Responsibility

Ensure that Owner's Responsible Agent performs their responsibilities as provided in Section 108-11-7

~~No warnings will be given for major violations. The city's expectation is that owners will operate their short-term rental in compliance with this ordinance and will take care of any infractions of Section 108-11-8 as prescribed.~~

~~HISTORY~~

~~Adopted by Ord. 2023-01 on 1/10/2023~~

Sec 108-11-9 Complaints And Violations

Complaints. The following sets the minimum requirements for short-term rental complaint resolution.

Making an initial complaint. An initial complaint concerning the use or occupancy of a licensed short-term rental unit may be made to the city County or designee by **a means as established by the Land Use Authority**. Anonymous complaints will not be processed.

Notification to Responsible Agent. When a complaint concerning a short-term rental has been received, contact to the responsible agent will be **attempted-made** by a County-city designee using the telephone number on file with the County-city. If the Responsible Agent does not respond to the County-city designee within sufficient time for the responsible agent to address the complaint within the timeframe specified in Section 108-11-7, this constitutes a major violation. ~~as provided in Subsection (b) of this section.~~

Attempt to resolve complaint. The Responsible Agent is required to resolve the issue within 60 minutes of receiving notification of the complaint. The Responsible Agent shall promptly notify the County-city or its designee if the Agent believes a complaint has been successfully resolved. If the County-city or its designee does not receive notification from the Responsible Agent that a complaint has been successfully resolved within the 60 minute timeframe, it shall be presumed that the complaint has not been successfully resolved.

Contacting law enforcement. If a complaint involves the immediate health and safety of any person or property, or if, despite good faith efforts, the problem that was the subject of a complaint cannot be resolved, the Responsible Agent shall immediately contact law enforcement and follow any direction(s) given by any law enforcement official.

County-City investigation. The County-city shall investigate a formal complaint received, in order to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this Chapter.

Violations. Violations shall be any violation within a 12-month period of the short-term rental operational standards as provided in Section 108-11-8 ~~For the purposes of this chapter violations for licensed short-term rental properties shall be classified as either a Minor Violation or a Major Violation.~~ Violations for unlicensed rental properties shall be classified as an Unlicensed Violation.

Minor violations. ~~A Minor Violation shall be any violation of the short-term rental operational standards as provided in Section 108-11-8.~~

~~Owners will be given one warning following their first Minor Violation within any consecutive 12 months. If this warning is subject to a static and prevailing concern, owners shall be given three calendar days to correct the issue or the warning will become a documented Minor Violation.~~

~~After two Minor Violations within 12 consecutive months, the owner shall be issued a Major Violation on the third occurrences.~~

~~Each Minor~~ Violations shall be subject to an administrative penalty as provided in Section 108-11-10.

~~**Major Violation.** A Major Violation shall consist of the failure of the Responsible Agent to perform their responsibilities as provided in this chapter, or the third and subsequent Minor Violations within a 12 month consecutive time frame.~~

~~Owners will be given one warning in the event of a responsible agent failing to perform their responsibilities within each calendar year.~~

~~Each major violation shall be subject to administrative penalties as provided in Section 108-11-10.~~

Unlicensed violation. An unlicensed violation is committed upon the rental of an unlicensed property on a short-term basis. ~~Owners will be given one warning~~ Each violation thereafter shall be subject to administrative penalties as provided in Section 108-11-10.

~~HISTORY~~

~~Adopted by Ord. 2023-01 on 1/10/2023~~

Sec 108-11-10 Administrative Penalty

First violation receives a warning

Second violation is a \$500 fine or the full amount of the rental agreement in place during the violation, whichever is greater.

Third violation, license will be revoked and not available to reapply for 3 years.

~~Any person found in violation of any provision(s) of this Chapter is liable for an administrative penalty in the form of a monetary fine. Failure to pay citation fines in full to Ogden Valley City within 10 business days of receiving notice of citation will result in a late penalty of \$250/day.. based on the property's average nightly rate, not to exceed the maximum allowed by state statute. The average rental rate of the property shall be determined through the aVioadvertised nightly rental rate. After the first day the violation occurs, each day that the violation remains unresolved shall carry an additional daily administrative penalty in the same amount. The amounts shall be determined as follows:~~

~~**Minor violations.** Monetary fines shall be 50 percent of the advertised nightly rental rate up to the maximum state allowance on the date(s) of the violation.~~

~~**Major violations.** Monetary fines shall be 100 percent of the advertised nightly rental rate on the date(s) of the violation up to the maximum state allowance.~~

~~Minor violations will incur an additional \$100/day fee if the initial fee is not paid/received by the city within the stated required time.~~

~~**Unlicensed violations.** Monetary fines shall be 200 percent of the advertised nightly rental rate on the date(s) of the violation up to the maximum state allowance.~~

~~Unlicensed violations shall receive a written notice of infraction and cease-and-desist ~~notice~~ order and incur a fine fee of \$1500 payable to the city within 10 days of receipt. Failure to pay citation fines in full to Ogden Valley City within 10 business days of receiving notice of citation will result in a late penalty of \$250/day.~~

~~A second violation of an unlicensed short-term rental shall receive a written notice of infraction and double the fine of the first violation.~~

~~A third violation of an unlicensed short-term rental results in a \$10,000 fine and becomes a misdemeanor that can be prosecuted in criminal court.~~

~~Failure to pay fines shall result in a lien on the property.~~

~~Utah Code 10-8-85.4 allows the city to take additional action against unlicensed short-term rental owners.~~

~~In the event the County cannot determine the average nightly rental rate of a specific rental, the average rental rate of the violation dates within the planning area shall be used.~~

~~Any short-term rental properties, licensed or unlicensed, in violation of unpaid fees, will be subject to a property lien.~~

HISTORY

Adopted by Ord. ~~2023-01~~ on 1/10/2023

Sec 108-11-11 License Revocation

~~— **Revocation due to minor violations.**~~

~~If a short-term rental unit has ~~three~~four minor violations within three consecutive months, or ~~four~~six minor violations within ~~twelve~~ /~~nine~~?consecutive months, the short-term rental license shall be revoked in accordance with the provisions of Section 102-4-3. This may be too lenient~~

~~If a short-term rental license is revoked due to an accumulation of ~~minor~~ violations, for a minimum of ~~one~~/~~two~~ three years following the revocation, the County~~city~~ shall not accept an application for a new~~

license for the same short-term rental unit; ~~without exception.~~ ^{with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose license was revoked, may be considered.}

— *Revocation due to major violations.*

~~If a short-term rental unit has two major violations within three consecutive months, or threefour major violations within twelve ~~nine~~ consecutive months, the short-term rental license shall be revoked in accordance with the provisions of Section 102-4-3.~~

~~If a short-term rental license is revoked due to major violations, for a minimum of two ~~three~~ years following the revocation, the County shall not accept an application for a new license for the same short-term rental unit; without exception.~~ ^{with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose license was revoked, may be considered.}

~~**Revocation process.** In addition to the process explained herein, license revocation shall follow the procedure specified in Section 102-4-3. This section does not exist.~~

~~Any legally operating short-term rental operating with a valid business license that is determined to be a nonconforming use upon the date of this ordinance shall be amortized and terminated within two (2) years of the adoption of this ordinance. Upon expiration of the amortization period, all nonconforming short-term rental activity must cease.~~

HISTORY

~~*Adopted by Ord. 2023-01 on 1/10/2023. What data does the county have to support the success of this policy?*~~