

CHAPTER 108-11

SHORT-TERM RENTALS

Chapter 108-11 Short Term Rentals

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

There are benefits to allowing owners of residential units within the City to rent dwelling units for short periods of time. Short-term rental of a dwelling unit can add capacity and diversification to the visitor-accommodation market and provide economic opportunity to property owners. However, because short-term rentals may create adverse impacts relating to parking, noise, trash, wildfire risk, public safety, emergency response, neighborhood compatibility, water and wastewater capacity, and residential character, short-term rentals must be regulated to protect the health, safety, and welfare of owners, neighbors, visitors, and the public.

The intent of this Chapter is to establish procedures and standards by which residential short-term rentals may be licensed and operated in a manner that protects the quality of visitor experience, preserves residential neighborhoods, supports lawful tax collection, and mitigates impacts on public services and adjacent properties.

Sec. 108-11-2. Definitions.

Bedroom or sleeping room: means a room or area approved by the Building Official, Fire Authority, or other agency with jurisdiction for sleeping occupancy and shown on the approved floor plan for the licensed short-term rental.

Owner: means the owner of record of the residential unit proposed to be used or used as a short-term rental.

Residential unit: means a residential structure, dwelling unit, or portion of a residential structure that is occupied as a residence.

Responsible Agent: means the owner or other natural person, independent property manager, professional property management company, or other authorized representative designated by the owner to respond to complaints and manage the short-term rental during rental periods.

Short-term rental or STR: means a residential unit, or any portion of a residential unit, that the owner of record or lessee offers, provides, leases, or otherwise makes available for occupancy for fewer than thirty (30) consecutive days.

Short-term rental website: has the meaning set forth in Utah Code § 10-8-85.4, as amended.

STR license: means the license or permit issued by the City authorizing operation of a short-term rental under this Chapter and applicable business-license provisions.

Sec. 108-11-3. Applicability.

This Chapter applies to all short-term rental uses within Ogden Valley City where allowed by the applicable zone, development agreement, PRUD approval, or other governing land-use approval. The following requirements apply to all short-term rentals:

1. Approval required. Except where specifically allowed otherwise by this Land Use Code or applicable law, it is unlawful for an owner or operator to operate a short-term rental within the City without first obtaining and maintaining an STR license pursuant to this Chapter.

2. Business license required. A short-term rental use requires an STR license under this Chapter and a commercial business license as provided in Title 14, unless otherwise exempted by applicable law.
3. Land-use and construction compliance. A short-term rental may be conducted only in a residential unit with all required land-use approvals, building permits, certificates of occupancy, and other approvals required by this Land Use Code, City ordinances, and state and federal law.
4. No vested right from application or listing. Submission of an application, payment of a fee, or listing or offering a property on a short-term rental website does not create a vested right to operate a short-term rental unless and until all required City approvals have been issued and remain valid.

Sec. 108-11-4. Prohibitions.

An STR license shall not be issued for, and no person shall operate a short-term rental in, any of the following:

1. Building not approved for residential occupancy. Any building or portion of a building that has not received approval for residential occupancy or does not have a certificate of occupancy, where required.
2. Accessory dwelling unit. An accessory dwelling unit, including an internal accessory dwelling unit, unless expressly authorized by state law and City ordinance.
3. Restricted or reserved housing. Any dwelling unit reserved, restricted, deed-restricted, or otherwise approved for workforce housing, moderate-income housing, affordable housing, or other restricted housing purpose.
4. Unpermitted zone or approval. Any location where short-term rentals are not allowed as a permitted use, conditional use, or other approved use under the applicable zone, development agreement, PRUD approval, or other governing land-use approval.
5. Unapproved portions of property. Any garage, shed, yurt, tent, recreational vehicle, trailer, temporary structure, exterior sleeping area, or other area not approved as part of the licensed residential unit and shown on the approved floor plan.
6. Private restrictions not superseded. Issuance of an STR license does not supersede, invalidate, interpret, waive, or affect any private covenant, condition, restriction, homeowners association rule, deed restriction, lease restriction, or other private agreement. The City does not interpret, enforce, or adjudicate private restrictions. As part of the application, the applicant shall certify that the applicant has reviewed applicable restrictions known to the applicant and that operation of the STR is not prohibited by any such restriction known to the applicant.

Sec. 108-11-5. Application Procedure.

Application for an STR business license and permit shall be submitted on forms provided by the City. The application and review procedure shall include the requirements of the City's business-license procedure and the additional requirements of this Chapter.

A. Application submittal requirements.

1. Proof of ownership of the lot or residential unit;
2. The applicant's applicable sales tax number, transient room tax account information, or other tax-account information reasonably required to verify compliance with applicable tax obligations;
3. Evidence reasonably satisfactory to the City that applicable taxes for the prior license year have been remitted, if the property has previously operated as a short-term rental. The City may require additional documentation reasonably necessary to verify compliance, subject to applicable confidentiality, GRAMA, and tax-record limitations;
4. A site plan drawn accurately to scale showing property lines and dimensions and including driveway locations; an approved parking plan; existing fencing or perimeter screening, if applicable; trash disposal and collection plan; and outdoor lighting plan demonstrating compliance with Chapter 108-16, including replacement of nonconforming outdoor lighting;
5. A detailed floor plan of each building or portion of a building to be used for short-term renting, identifying all bedrooms, sleeping rooms, common areas, exits, fire extinguishers, smoke and carbon monoxide detectors, and all areas allowed to be occupied or used by short-term rental occupants;
6. A commitment-to-serve or will-serve letter from the providers of culinary water and sanitary sewer service, or, if served by a well or septic system, written confirmation from the Weber-Morgan Health Department or

- other agency with jurisdiction. The letter or confirmation should identify any maximum occupancy, sleeping-room, fixture, water, wastewater, or other capacity limitation applicable to the short-term rental use;
7. Any building permit, land-use permit, certificate of occupancy, inspection report, or other approval required to demonstrate compliance with applicable building, fire, health, land-use, and safety requirements;
 8. The name, address, telephone number, and email address of the Responsible Agent, including a telephone number available twenty-four (24) hours per day, seven (7) days per week during rental periods, and the same information for any designated backup Responsible Agent;
 9. A signed acknowledgement by the owner and Responsible Agent that they have read this Chapter and understand the licensing, operational, complaint-response, violation, penalty, suspension, revocation, and renewal requirements herein;
 10. A certification regarding private restrictions as required by Section 108-11-4; and
 11. The application fee and any inspection or review fee adopted by the City.

B. Complete application required.

An STR license shall not be issued unless the application is complete and each applicable City requirement has been satisfied, as determined by the Planning Department. The City may deny or withhold issuance of an STR license for an incomplete application or for failure to provide information reasonably necessary to determine compliance with this Chapter.

C. Review procedure.

1. Upon submittal of a complete application, Planning Department staff shall review the application to verify compliance with this Chapter and any other relevant provision of the Land Use Code.
2. Planning Department staff may route the application to the Fire Authority, Building Official, Health Department, Sheriff, City Engineer, applicable utility providers, or other reviewing agencies with jurisdiction or expertise for verification of compliance and identification of necessary modifications or approvals.
3. If the application complies with applicable land-use laws and receives all required department and agency approvals, the STR license may be issued after the initial property inspection required by Section 108-11-6 confirms compliance with this Chapter.
4. The Land Use Authority may impose conditions of approval that are reasonably related to applicable standards, site-specific impacts, health and safety, public welfare, and compliance with this Chapter.

D. One license per property.

An STR license is required for each property on which a short-term rental is operated. A license is property-specific and owner-specific and is not transferable to another property or owner without City approval.

E. Annual renewal.

Existing licensees must submit a renewal application and pay the required fee no later than December 1 of each year, regardless of the date of initial license issuance. A renewal application shall include:

1. A renewal application;
2. An inspection report, if required by Section 108-11-6;
3. Evidence reasonably satisfactory to the City of applicable tax remittance from the prior license year;
4. Proof of payment of outstanding civil fines or fees imposed under this Chapter;
5. Certification that the property remains in compliance with this Chapter and all conditions of approval; and
6. Any other documentation reasonably required by the City to verify compliance.

Sec. 108-11-6. Property Inspection.

A. Initial property inspection.

A property applying for its first STR license shall be inspected for compliance with this Chapter, applicable land-use approvals, and applicable building, fire, health, and safety requirements. The Planning Department may designate a

City inspector, the Building Official, the Fire Authority, or a qualified third-party inspector at the applicant's expense. Any code deficiencies applicable to the structure based on the year of construction and occupancy, and any health, safety, or welfare issues identified during inspection, shall be resolved to the satisfaction of the reviewing official prior to issuance of an STR license.

B. Renewal inspection.

The City may require inspection prior to renewal of an existing STR license when reasonably warranted by a prior violation, material change in the rental unit or occupancy, increase in requested occupancy, complaint history, life-safety concern, change in applicable law, or other reasonable basis related to compliance with this Chapter. If the property fails inspection, the owner shall have sixty (60) days to bring the property into compliance unless a shorter period is required due to life-safety concerns. An STR license may be immediately suspended when an inspection identifies an imminent or material life-safety concern. The owner must correct the concern that led to suspension before reinstatement.

C. Inspection after complaint or violation.

If the City receives a complaint or has reasonable grounds to believe a violation exists, the City may request an inspection at a reasonable time to determine compliance. Refusal to allow a lawful inspection may be considered in connection with suspension, renewal denial, revocation, or other remedies available by law.

D. Consent and lawful access.

Inspections under this Chapter shall be conducted by consent, as a condition of license issuance or renewal, during areas and times reasonably related to the licensed activity, or pursuant to lawful administrative inspection authority, including an administrative inspection warrant where applicable. Nothing in this Chapter authorizes unlawful entry.

Sec. 108-11-7. Applicable Taxes and Remittance.

An owner or operator of a short-term rental is responsible for collecting and remitting all applicable state and local taxes, including sales tax, transient room tax, and any other applicable taxes, whether remitted directly, through a third-party agency, or through an advertising platform. Owners who fail to collect or remit applicable taxes are not eligible for annual license renewal until the City receives evidence reasonably satisfactory to the City that the deficiency has been resolved. The City may conduct routine compliance reviews or request documentation reasonably necessary to verify appropriate tax remittance, subject to applicable confidentiality, GRAMA, and tax-record limitations.

Sec. 108-11-8. Responsible Agent.

A. Appointment of agent.

The owner of a short-term rental shall appoint a Responsible Agent for the rental property. The Responsible Agent may be the owner, a designee, an independent property manager, a professional property management company, or other authorized representative. The Responsible Agent shall be available to manage the property during any period in which the property is occupied by short-term rental occupants.

B. Response requirement.

The Responsible Agent must be able to respond to the City, its enforcement designee, law enforcement, fire authority, or other public-safety agency within sixty (60) minutes after notice of a complaint or violation. When necessary to address the complaint or violation, the Responsible Agent must be able to appear at the property in person, or cause another authorized person to appear, within sixty (60) minutes after notice. Designation of one or more backup agents is strongly encouraged and may be required as a condition of approval based on site-specific circumstances.

C. Safety.

A Responsible Agent is not required to place themselves in a situation that could reasonably cause physical harm. If a complaint involves immediate threats to persons or property, the Responsible Agent shall contact law enforcement or emergency responders and follow their directions.

D. Notification of agent change.

The owner shall notify the Planning Department within seven (7) calendar days after any change to the Responsible Agent or backup Responsible Agent and shall provide updated contact information. It is the owner's responsibility to keep all contact information current throughout the license term.

E. Public posting of contact information.

The City may maintain Responsible Agent information for enforcement and emergency-response purposes. The City may require the STR licensee to post a twenty-four-hour complaint-response telephone number at the property and in materials provided to occupants. The City is not required to publish the Responsible Agent's personal address or personal telephone number on the City website. The telephone number posted under this Subsection is the owner's or Responsible Agent's contact number and is separate from the City's own complaint-intake channel described in Section 108-11-10(A).

Sec. 108-11-9. Operating Standards.

A. Information dissemination requirements.

Each licensed short-term rental shall have the following information posted internally in a conspicuous location where it can be easily viewed by occupants:

1. A copy of the current STR license;
2. Contact information for the owner and Responsible Agent, including a twenty-four-hour response telephone number;
3. Emergency contact information, including 911;
4. The property's maximum permitted occupancy;
5. The approved parking plan, including maximum number of vehicles, locations of approved parking areas, locations for trailers or oversized vehicles, prohibition of parking in the public right-of-way, and other applicable parking rules;
6. A map and description of fire extinguishers, emergency egress routes, and evacuation information;
7. Noise, parking, trash, animal, fire-restriction, and good-neighbor requirements;
8. Current fire restriction information or a link to the Fire Authority's current fire-restriction information;
9. Dark-sky compliance requirements; and
10. Any other information required by the reviewing agencies to protect public health and safety.

Each licensed short-term rental shall have its assigned street address posted externally in a conspicuous location where it can be viewed day or night from the adjacent street or access way. External posting shall also include a twenty-four-hour complaint-response telephone number unless otherwise approved by the City.

B. Advertising requirements and state-law limitations.

All advertising for a licensed short-term rental shall include the property's STR license number in searchable plain text and shall not advertise an occupancy, parking capacity, sleeping arrangement, event use, or other use that exceeds the approved STR license, approved floor plan, approved parking plan, or this Chapter.

Nothing in this Chapter shall be construed to prohibit an individual from listing or offering a short-term rental on a short-term rental website or to authorize enforcement based solely upon such listing or offering, except as expressly permitted by Utah Code § 10-8-85.4, as amended. The City may use a listing or offering on a short-term rental website as evidence only to the extent allowed by state law and only in conjunction with additional evidence sufficient to support enforcement.

C. Occupancy.

1. The maximum occupancy for a short-term rental shall not exceed two (2) persons per approved bedroom or sleeping room, plus four (4) additional persons, up to a maximum of ten (10) persons per short-term rental unless a greater occupancy is approved under Subsection C.3.
2. The maximum occupancy may be reduced based on site-specific limitations, including but not limited to parking constraints, access limitations, septic or sewer capacity, culinary water capacity, fire access, sleeping-room limitations, building-code limitations, or health and safety concerns.
3. A greater maximum occupancy may be approved only upon written approval of the Fire Authority, Building Official, Health Department where applicable, and any other reviewing agency with jurisdiction, based on

applicable law and site-specific life-safety, access, water, wastewater, parking, and sleeping-room limitations. Additional requirements may include an automatic residential fire sprinkler system where required by applicable code or by the Fire Authority as a condition of approval for the proposed occupancy.

4. Except for condominiums or similar units expressly 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.
5. All sleeping accommodations must be maintained inside the licensed dwelling unit and within areas shown on the approved floor plan. External accommodations, including yurts, teepees, tents, recreational vehicles, travel trailers, temporary structures, or similar accommodations, shall not be used for sleeping accommodations or to increase maximum permitted occupancy.
6. No licensed short-term rental may be rented for fewer than two (2) consecutive nights.

D. Parking.

1. In addition to the parking requirements for dwellings in Section 108-8-2, at least one (1) parking space measuring a minimum of nine (9) feet by twenty (20) feet shall be provided for each two (2) sleeping rooms offered, but never fewer than two (2) parking spaces.
2. All vehicles of occupants and visitors shall be parked only within the property's boundary lines and in accordance with the approved parking plan.
3. No parking is allowed within adjacent public rights-of-way or private roads unless expressly approved by the City and the road owner or applicable road authority.
4. No vehicles shall be parked on lawn, landscaped, unimproved, vegetated, or non-approved areas.
5. Parking within allowed setback areas may occur only on an approved, improved, hard-surfaced parking area shown on the approved parking plan and shall not exceed twenty-five percent (25%) of the front or side yard setback area unless otherwise allowed by the Land Use Code.
6. No bus, shuttle, van, or other vehicle with passenger capacity greater than sixteen (16) persons may be parked at the property.
7. Trailers and oversized vehicles shall be parked only in locations designated on the approved parking plan. Trailer and oversized vehicle parking spaces shall be at least ten (10) feet by forty-five (45) feet, with reasonable access and maneuvering area provided.

E. Noise.

Between 10:00 p.m. and 8:00 a.m., no sound exceeding fifty (50) dB, and no amplified or reproduced sound audible beyond the property line, shall be allowed, as measured and enforced in accordance with the Ogden Valley City Noise Ordinance, Section 5.01.010, or successor provision.

F. Residential nature and prohibited events.

The short-term rental shall remain consistent with the residential nature of the area. No commercial operations, commercial events, or event uses shall be permitted in the home or on the property in connection with the short-term rental. Prohibited uses include receptions, luncheons, weddings, retreats, corporate events, ticketed events, and similar commercial uses or events. Catering of food, erection or use of temporary shelters, tents, canopies, or similar structures, and outside employees or staff in connection with an event are prohibited unless separately authorized by applicable City ordinance and approval.

G. Trash disposal and collection.

All short-term rental properties shall comply with the approved trash disposal and collection plan. Except on assigned trash pick-up days, trash containers must be stored behind the front setback line and positioned next to the house or in another approved screened or wildlife-resistant location. All trash shall be placed within appropriate receptacles. The Responsible Agent shall ensure that trash exceeding normal pick-up capacity is collected and removed as needed. Properties with larger occupancies shall provide sufficient additional trash capacity.

H. Outdoor lighting.

All outdoor lighting associated with a short-term rental shall comply at all times with Chapter 108-16 of the Land Use Code. All nonconforming outdoor lighting shall be replaced with conforming lighting prior to issuance of an STR license.

I. Signage.

On-site signage intended to advertise the property as a short-term rental is prohibited on the property and in adjacent rights-of-way.

J. Fire safety.

1. The property must have primary access along a public right-of-way or access easement that meets the Fire Authority's requirements for fire access.
2. The property must comply with all applicable fire-safety requirements, as determined by the Fire Authority and applicable law.
3. Outdoor fire pits must be permanently affixed with concrete or hard-surface aprons or otherwise approved by the Fire Authority. Only natural gas or propane gas fire pits are allowed within the Wildland-Urban Interface unless otherwise approved by the Fire Authority and applicable law.
4. Smoke and carbon monoxide detectors must be installed and maintained as required by applicable building and fire codes.
5. Fire extinguishers must be placed in approved locations on each level of the property and adjacent to outdoor fire pits where required by the Fire Authority.
6. An emergency egress plan must be posted in a conspicuous location on each level of the property.
7. Properties located within the Wildland-Urban Interface area shall comply with current Wildland-Urban Interface requirements applicable to the property.

K. Animals.

1. Animals shall be kept on leash while outdoors unless securely contained in a fenced area approved as part of the STR license.
2. No animal shall be allowed to roam freely or create a nuisance, threat, or disturbance.

Sec. 108-11-10. Complaints and Violations.

A. Complaint intake.

An initial complaint concerning the use or occupancy of a licensed short-term rental may be made to the City or the City's enforcement designee in the manner established by the Planning Department. The City may decline to process anonymous complaints unless the complaint alleges an immediate threat to health, safety, or property or is otherwise independently verifiable.

The manner established by the Planning Department under this Subsection shall be capable of receiving short-term rental complaints at all hours, including outside of regular business hours. This requirement does not obligate the City to provide live staffed response outside of regular business hours and may be satisfied by an answering service, recorded voicemail line reviewed each business day, routing through law enforcement non-emergency dispatch, or other comparable method.

Each complaint received under this Subsection shall be logged, at minimum, with the property address; the date and time of the incident; the nature of the complaint; whether the Responsible Agent was contacted and whether the Responsible Agent responded within the sixty (60) minute window required by Section 108-11-8; and whether law enforcement, the Fire Authority, or emergency responders were contacted or responded.

A complaint received outside of regular business hours shall be reviewed by Code Compliance staff no later than the next business day for entry into the property's complaint record under this Section. A logged complaint, standing alone, is not a violation; a violation is established only as otherwise provided in this Section.

B. Notification to Responsible Agent.

When a complaint concerning a short-term rental is received, the City or its designee may attempt to contact the Responsible Agent using the contact information on file. Failure of the Responsible Agent to respond within sixty (60) minutes after notice, as required by Section 108-11-8, constitutes a violation.

C. Good-faith resolution.

The Responsible Agent shall make reasonable, good-faith efforts to address and resolve the basis of the complaint within sixty (60) minutes after notice when the complaint can reasonably be resolved within that period. Failure to make reasonable, good-faith efforts, failure to appear when required, or failure to correct a verified violation constitutes a violation. Failure to provide immediate confirmation to the City, by itself and without additional evidence, shall not create an irrebuttable presumption that a violation occurred.

D. Law enforcement and emergency response.

If a complaint involves an immediate threat to the health or safety of any person or property, or if the problem cannot be safely resolved by the Responsible Agent, the Responsible Agent shall immediately contact law enforcement, the Fire Authority, or emergency responders, as appropriate, and follow their directions.

E. City investigation.

The City may investigate complaints, complaints not resolved by the Responsible Agent, and other information indicating a possible violation to determine whether there has been a violation of this Chapter or any condition of approval.

F. Notice and cure.

Except for violations involving imminent life-safety concerns, unlawful operation without a required license, refusal to cease unlawful occupancy, material misrepresentation, repeated violations, or circumstances where immediate enforcement is necessary to protect health, safety, or welfare, the City shall provide written notice of violation and a reasonable opportunity to cure before imposing a civil fine when required by applicable law. The notice shall identify the alleged violation, required corrective action, cure period, potential penalties, and appeal rights.

G. Separate violations.

Each violation of this Chapter, each day a violation continues after expiration of a required cure period, and each separate act or omission constituting a violation may be treated as a separate violation, subject to applicable state-law limits on repeated citations or fines for the same ongoing violation.

H. No duty created.

Nothing in this Section creates a duty on the part of the City, its employees, or any contracted answering or dispatch service to prevent harm to any person. Nothing in this Section shall be construed to create a private right of action against the City arising from the manner, timing, or outcome of any complaint intake, response, or investigation, except as expressly provided by applicable state law.

Sec. 108-11-11. Civil Penalties.

A. General authority and state-law limitations.

Violations of this Chapter are civil violations unless otherwise expressly provided by ordinance and applicable law. The City may impose civil penalties as authorized by Utah Code § 10-3-703 and other applicable law. No civil penalty shall exceed the maximum allowed by state law, and if state law imposes a lower maximum, notice requirement, cure requirement, or other limitation, state law controls.

B. Licensed short-term rentals.

Violation	Maximum Consequence	Reference
First verified violation	Written warning and reasonable cure period, unless immediate enforcement is authorized by Section 108-11-10(F).	§§ 108-11-10, 108-11-11
Second verified violation within twelve (12) months, including failure to timely cure	Civil fine up to the maximum allowed by Utah Code § 10-3-703 for each separately citable violation.	§ 108-11-11

Violation	Maximum Consequence	Reference
Third verified violation within twelve (12) months	Civil fine up to the maximum allowed by state law and initiation of suspension or revocation proceedings.	§ 108-11-12
Ongoing violation after cure period expires	Civil fine up to the maximum allowed by state law for each separately citable violation, subject to state-law limits on repeated citations for the same ongoing violation.	§§ 108-11-10, 108-11-11
Imminent life-safety violation or material threat to persons or property	Immediate suspension, order to cease occupancy, civil fine up to the maximum allowed by state law, and other remedies available by law.	§§ 108-11-11, 108-11-12

C. Unlicensed short-term rentals.

Violation	Maximum Consequence	Reference
First documented unlicensed operation	Written notice and reasonable cure period before civil fine if required by applicable law, together with direction to cease operation or apply for required approvals.	§§ 108-11-3, 108-11-10
Operation after written notice and cure period or refusal to cease unlawful operation	Civil fine up to the maximum allowed by Utah Code § 10-3-703 for each separately citable violation and other remedies available by law.	§ 108-11-11
Repeated unlicensed operation	Civil fine up to the maximum allowed by state law, injunction, denial of license eligibility for a reasonable period, and other remedies available by law.	§§ 108-11-11, 108-11-12

D. Enhanced penalties.

The City shall not impose enhanced civil penalties above the maximum generally allowed by Utah Code § 10-3-703 unless the City Attorney determines that a specific current state-law provision authorizes the enhanced amount and the notice, cure, timing, identity-of-violator, same-violation, and compliance-interval requirements of that provision have been satisfied. Any penalty schedule maintained by the City is a summary only; the operative text of this Chapter and applicable state law control.

E. Other remedies.

Civil penalties are cumulative and do not limit the City’s authority to suspend or revoke a license, deny renewal, seek injunctive relief, pursue nuisance abatement, enforce business-license requirements, enforce land-use conditions, issue stop-use or cease-and-desist orders, or pursue any other remedy available by law.

Sec. 108-11-12. License Suspension, Revocation, and Appeal.

A. Grounds.

1. Material misrepresentation or omission in an application, renewal, inspection, or investigation;
2. Failure to maintain compliance with this Chapter, the STR license, approved plans, or conditions of approval;
3. Failure to maintain a valid business license or STR license;
4. Failure to remit applicable taxes or provide required evidence of tax compliance;
5. Three (3) verified violations within any twelve (12) month period;
6. Two (2) verified violations involving life-safety, fire safety, unlawful occupancy, or material threats to persons or property within any twelve (12) month period;
7. Operation during a suspension or after denial, expiration, or revocation of a license;
8. Failure of the Responsible Agent to respond or make good-faith efforts to resolve complaints as required by this Chapter; or
9. Any other ground authorized by this Chapter, Title 14, Section 102-4-3, or applicable law.

B. Emergency suspension.

The City may immediately suspend an STR license and order cessation of short-term rental occupancy if the City, Building Official, Fire Authority, law enforcement, Health Department, or other agency with jurisdiction determines that continued operation creates an imminent or material threat to life, health, safety, property, or public welfare. The City shall provide written notice stating the basis for the emergency suspension, required corrective action, and appeal rights as soon as reasonably practicable.

C. Non-emergency suspension or revocation procedure.

1. The City shall provide written notice of the proposed suspension, revocation, or nonrenewal, including the grounds, supporting facts, proposed action, and appeal rights.
2. The owner shall have a reasonable opportunity to respond and request a hearing before the appeal authority or hearing officer designated by the City.
3. The City shall issue a written decision after any hearing or after expiration of the time to request a hearing.
4. Suspension, revocation, and appeal proceedings shall follow Section 102-4-3 and any applicable business-license appeal procedure, except where this Chapter provides more specific requirements.

D. Effect of revocation.

Upon revocation, the owner and property are ineligible for a new STR license for two (2) years from the effective date of revocation, unless a shorter period is required by state law or the City Council grants relief based on written findings that the grounds for revocation have been fully cured and reissuance will not create a threat to health, safety, welfare, or neighborhood compatibility.

E. Operation during appeal.

Unless the City determines that continued operation presents an imminent or material threat to life, health, safety, property, or public welfare, a timely appeal stays a non-emergency revocation or suspension until the appeal is resolved. An emergency suspension is not stayed unless ordered by the appeal authority or a court of competent jurisdiction.

Sec. 108-11-13. Administration; Forms; Non-Waiver.

The Planning Department may prepare forms, checklists, notices, good-neighbor materials, and administrative guidance to implement this Chapter. Administrative materials shall be consistent with this Chapter and applicable law. Failure by the City to enforce any provision in a particular circumstance does not waive the City's authority to enforce that provision in any other circumstance.

Sec. 108-11-14. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Chapter is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Chapter shall remain in full force and effect. The City Council declares that it would have adopted each valid portion of this Chapter independently of any invalid portion.