

OKANOGAN COUNTY

ORDINANCE 2018 - 5

An Ordinance of the Okanogan Board of County Commissioners adopting a new chapter to Okanogan County Code title 5 Business Licenses and Regulation titled OCC 5.06 Nightly Rentals.

WHEREAS: Okanogan County Code (OCC) Chapter 17A.270 regulates Overnight Transient Accommodations (Nightly Rentals), and

WHEREAS: Prior to amendment OCC 17A.270 required an annual permit be required for the operation of a nightly rental, and

WHEREAS: The Okanogan Board of County Commissioners (BOCC) has determined the required annual permit should be called an annual license and such requirement be placed in OCC title 5 Business Licenses and Regulations, and

WHEREAS: The Okanogan County SEPA Responsible Official issued a threshold determination of non-significance in accordance with the state environmental policy act and published notice on September 27, 2017, and

WHEREAS: After review of the comments received the SEPA Responsible Official issued a final determination of non-significance on October 25, 2017. A notice of public hearing was published on October 25, 2017. The hearing was scheduled for November 13, 2017 in front of the Okanogan County Regional Planning Commission, and

WHEREAS: The Planning Commission did not have a quorum on November 13, 2017 so continued the hearing to December 4, 2017. After taking public testimony the planning commission began deliberations, continuing the public hearing to January 22, 2018 for further deliberation, and

WHEREAS: On January 22, 2018 the Planning Commission by motion and vote transmitted an amended OCC 5.06 to the BOCC for further review and adoption, and

WHEREAS: A notice of public hearing was published on February 28, 2018. The hearing was scheduled for March 19, 2018 in front of the BOCC, and

WHEREAS: After conducting the public hearing and reviewing the materials submitted and comments received the BOCC amended OCC 5.06 to eliminate the requirement to produce evidence of liability insurance as part of the licensing requirements and to clarify the building permit requirement, and

WHEREAS: The BOCC closed the hearing and directed staff to prepare an ordinance adopting OCC 5.06 as amended,

BE IT THEREFORE ORDAINED: The Okanogan Board of County Commissioners adopts a new chapter to Okanogan County Code Title 5 Business Licenses and Regulation titled OCC 5.06 Nightly Rentals found as attachment A to this ordinance.

DATED at Okanogan, Washington this 2 day of April 2018.



**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**

ABSENT

ATTEST

Jim DeTro, Chairman

Chris Branch, Member

Andy Hover, Member

Laleña Johns, Clerk of the Board

5.06

Nightly rentals

Sections:

- 5.06.010 Definitions.**
- 5.06.020 License – Application – Fee.**
- 5.06.030 License to be displayed.**
- 5.06.040 Record keeping.**
- 5.06.050 Inspection authority.**
- 5.06.060 Penalties.**
- 5.06.070 Severability**

5.06.010 Definitions.

In accordance with OCC 17A.20.645 “Nightly rental” a nightly rental means a dwelling unit or accessory dwelling unit used as a tourist accommodation which accommodates the traveling public for short-term stays. (Ord. 2016-4 § 1 (Att. A), 2016

5.06.020 License – Application – Fee.

1. Nightly rental licenses must be renewed annually prior to the anniversary date of original issuance of the permit. A nightly rental permit is not automatically transferable as part of the sale of property. A permit application from the new property owner must be approved to continue as a transient tourist accommodation. Application for such license shall be made to the Okanogan County Planning Department upon a form to be furnished by the Director of Planning requiring such information as may be reasonably related to the ownership and conduct of such business. The fee for such license shall be established by resolution of the Okanogan Board of County Commissioners.

5.06.030 License to be displayed.

Licenses issued to nightly rentals shall at all times be prominently displayed at the principal place of business of the licensee in Okanogan County, Washington.

5.06.040 Record keeping.

A. It shall be the duty of every nightly rental operator to maintain the following permits and records.

1. Unified Business Identifier. The owner of the nightly rental shall provide a valid Washington State unified business identifier (UBI) number for taxation purposes, along with supporting information validating registration of the specific nightly rental. At no time shall the nightly rental operate without a valid unified business identifier. The signature of the person with whom the transaction is made;

2. Public Health Permit. The owner or operator shall possess, and keep valid at all times, an overnight transient accommodation permit (OTA permit) from Okanogan County public health to operate the facility. At no time shall the nightly rental operate without a valid OTA permit from Okanogan County public health.

3. Building Permits. The owner or operator shall provide an inspection report from the building department verifying they have met all applicable building code requirements

5.06.050 Inspection authority.

Such records as required by this section and OCC 17A.270 shall at all times during the ordinary hours of operation be open to the inspection of the county planning director or his designee.

5.06.060 Penalties.

Any nightly rental operator or any other person violating or failing to comply with any of the terms or provisions of this chapter shall be guilty of a class 1 civil infraction.

5.06.070 Severability

If any provision of this title is for any reason held to be invalid, the remainder of this title shall not be affected. If any provision of this title is adjudged invalid as applied to a particular person or circumstance that provision of this title shall not be affected as to other persons or circumstances.