

The Town of

Star Valley Ranch, Wyoming

Ordinance 2024-01

Title XI Business Regulations

Chapter 113 Short-Term Rental **Permits** of Residential Units

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF STAR VALLEY RANCH:

Explanation: Update to existing code to clarify Short-term Rental permit requirements, conditions for permit issuance, and to better-define conditions that constitute violation of this chapter.

Existing Title XI Chapter 113 is in BLACK, changes for first reading are in BLUE, second reading in GREEN, third reading in ORANGE, removal in RED.

These changes will become effective 10 days after third reading and passage.

113.01 Intent and Purpose

113.02 Definitions

113.03 Requirements and Prohibitions

113.04 Standards ~~Short-Term Rental Permit Required~~

113.05 Issuance ~~Short-Term Rental Permit Application Requirements~~

113.06 Violation; Infraction; Penalty ~~Permit Renewal~~

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~~113.12 Operating Without a Permit~~

§ 113.01 INTENT AND PURPOSE.

The intent and purpose of this chapter is to establish standards, guidelines, and procedures by which the owners of Short-term Rental Units shall comply to ensure that the essential character of the Town is maintained. Such owners have the responsibility to properly communicate to their guests the laws, standards, rules, and regulations that must be followed as established by the Town, the home-owners associations, Lincoln County, and the State of Wyoming. This will protect the residents of our Town while providing ~~our guests~~ Short-term Rental patrons with a safe and enjoyable experience during their visit.

§ 113.02 DEFINITIONS.

(A) The following terms shall apply to this chapter as written unless context indicates or requires a different meaning:

LOCAL REPRESENTATIVE. An area property manager, owner, or agent of the owner, who within 1 to 2 hours can respond to questions or concerns from short-term rental guests, residents of the surrounding neighborhood, or representatives of the Town.

SHORT-TERM RENTAL(S). The rental of all or any portion of a residential dwelling unit for a period less than one calendar month. A calendar month is the period from a day of one month to the corresponding day of the next month if such exists; or if not, to the last day of the next month. A calendar month shall be computed by excluding the first and including the last day (as from January 4 to February 3 or from January 31 to February 29).

SHORT-TERM RENTAL UNIT(S). A property used for Short-term Rental.

(B) Words or phrases in this Chapter necessitating a definition shall be defined pursuant to the Town Zoning Regulations, as amended.

§ 113.03 REQUIREMENTS AND PROHIBITIONS.

(A) No person shall operate a Short-term Rental Unit in the Town without first obtaining a Short-term Rental Permit ("Permit") in accordance with the provisions of this Chapter.

(B) Multiple bookings during the same period for a Short-term Rental Unit are not allowed.

(C) Short-term Rentals are not permitted outdoors, in tents, campers, recreational vehicles, attached or unattached accessory structures (e.g., sheds, garages).

(D) Camping, outdoor sleeping, or occupancy of any camper or recreational vehicle on the property while the licensed premises is being used as a Short-term Rental or hosted Short-term Rental is prohibited.

§ 113.04 STANDARDS. ~~SHORT-TERM RENTAL PERMIT REQUIRED.~~

(A) Permit.

(1A) A Short-term Rental Permit Application must be submitted and approved by the Town before a residential dwelling unit can be used for Short-term Rentals. Any persons currently operating a Short-term Rental, as defined herein, may continue to do so, but must submit a Permit Application and otherwise come into compliance with this Chapter within 90 days of its enactment.

(2B) Permit Applications are available at Town Hall and must be filled out and approved by Town Administrative Staff.

(3C) ~~The~~ A initial fee for a Permit Application fee is ~~\$250.00~~ for each Short-term Rental Unit being permitted is required. ~~An~~ The annual permit renewal fee is also required \$125.00. No refunds shall be given for initial, or renewal fees paid. Fees will be set by resolution and reviewed annually.

(4D) Each Permit will be assigned a unique permit number.

(5E) A Permit holder shall be responsible for providing notice to the Town within 10 business days of any changes to the information included in a Short-term Rental Application.

(6F) Permits are nontransferable, except that upon death of a Permit holder, the Permit may be transferred to a family member who holds an interest in title to the Short-term Rental Unit at issue.

(7G) The Permit holder must maintain a record of each renter of the Short-term Rental Unit for five (5) years, including the name and contact information for the renter and the time(s) and date(s) of the rental. This information shall be made available to the Town upon court order.

(B) Permit renewal.

(1A) Permits must be renewed annually. Permits must be renewed ten business days prior to the last day of December.

(2B) Permit renewal applications shall be filed annually with the Town Administrative Department. The Town may, for good cause, as defined herein, refuse to renew a Permit.

(3C) The Permit is valid for one calendar year, or portion thereof. Renewal of the Permit requires the submission of a complete Permit renewal application and designated fee. If a complete renewal application and applicable fees have not been

received by the Town on the annual renewal date (see §113.04 (C) below), the Short-term Rental Unit shall be conclusively presumed to be discontinued and the Town shall revoke the Short-term Rental Permit without further notice required.

(4) Permit renewal applications must comply with this Chapter.

(C) Permit expiration.

(1) All Permits expire on the last day of December each year and must be renewed ten business days prior to expiration. If a Permit is allowed to expire, the Permit holder will be required to pay a late fee in addition to the ~~for a~~ Permit renewal ~~Permit~~ fee. Any Permit not renewed by January 15 will be deemed revoked. Any person who continues to operate a Short-term Rental without a Permit shall be operating a Short-term Rental in violation of this Chapter.

§ 113.05 ISSUANCE. ~~SHORT-TERM RENTAL PERMIT APPLICATION REQUIREMENTS.~~

The issuance of a Short-term Rental Permit shall be subject to the following requirements.

(A) Notice to Neighbors within 300 Feet Of Lot Boundary: Permit holders must provide ~~notice by mail to a list of mailing addresses for~~ the owners of neighboring parcels within 300 feet of the lot boundaries of the Short-term Rental Unit. ~~This address list must be provided along with the Short-term Rental Permit Application. The Permit holder must sign an affidavit under penalty of perjury that the neighbors have been notified.~~ The Permit holder must ~~also~~ provide ~~their~~ his/her name and contact information, and the name and contact information of a local representative, living in Star Valley, designated by the Permit holder to handle complaints or correspondence ~~of~~ regarding the Short-term Rental Unit. The Permit holder shall notify ~~the Town within 10 business days~~ ~~all applicable neighbors~~ if the contact information changes. ~~The Town will complete mailing of the Notice to Neighbors to residents identified on the provided mailing list.~~

(B) Management and Advertising Requirements: Short-term Rentals may not be advertised with physical signage within Town Limits. ~~Any advertising by other means, must include the Permit number issued for the respective Unit. Any digital advertising must include a functioning internet link to this Chapter.~~

(C) Lodging and Sales Taxes: Short-term Rental Units are classified as lodging facilities by the State of Wyoming. Permit holders are responsible for paying all lodging and sales taxes required by Wyoming law.

(D) Annual Safety Inspection Required: All Short-term Rentals must pass an annual safety inspection, proof of which must be submitted with an initial or renewal application. This inspection can be completed by the Permit holder, a local representative of the Permit holder, or by a licensed Building/Housing inspector (The Short-term Rental Checklist is included with the Application packet). ~~The Special Municipal Officer may~~

choose to physically reinspect any property at any time if they reasonably believes that it is not maintaining compliance with these requirements.

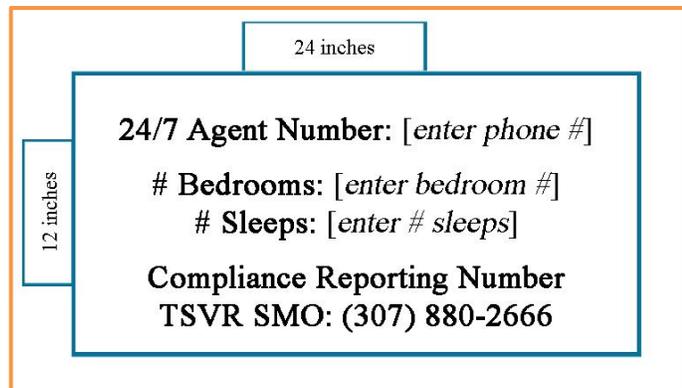
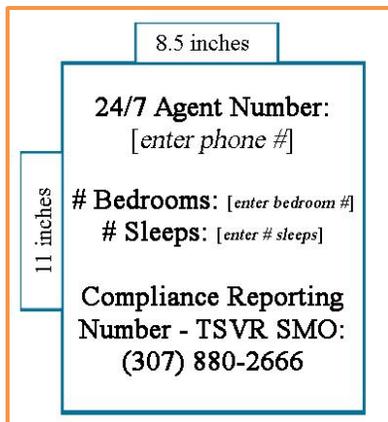
(E) Parking Requirements: All Short-term Rental Units must provide on-site parking spaces. On-site parking spaces consist of established driveways or garages at the Short-term Rental Unit. Short-term Rental guest vehicles are not allowed to be parked on lawns or in other areas of the Short-term Rental Unit property in the event that existing on-site parking spaces are full. No vehicles are allowed to be parked on Town streets or Town rights-of-way.

(F) Solid Waste Collection Requirements: All Permit holders must provide solid waste collection container(s) for all time periods that the residential dwelling unit is offered for Short-term Rental. All trash must be securely stored to prevent it from attracting wildlife. The Permit holder or Permit holder's representative shall arrange for trash pickup on the designated day and for placing and returning the waste container(s) to ensure that they do not hinder Town road maintenance. Solid waste storage and disposal shall not become a nuisance. Failure to maintain solid waste collection service in accordance with this paragraph, or containers left on the street for more than 24 hours after pickup shall constitute a violation pursuant to section §113.06 of this chapter.

(G) Exterior Identification Signage and Other Signage Requirements:

(1) Identification of Short-term Rental Unit Signage: Each Short-term Rental Unit shall be equipped with one exterior identification sign of at least 8½" x 11" in size, but not to exceeding 12" x 24" in size two-square feet in area (see example figures). No other signs promoting or identifying the Short-term Rental Unit shall be permitted. The required exterior Identification Sign shall be attached to the home in a clearly visible location, which is clearly visible from the road, and shall clearly display all the following information in lettering of sufficient size to be easily legible:

- (a) "24/7 Agent" and a telephone number at which the 24/7 agent may be reached on a twenty-four (24) hour basis; and
- (b) The maximum number of bedrooms occupants permitted to be at the property; and
- (c) The maximum number of individuals the property sleeps vehicles allowed to be parked on the property; and
- (d) The telephone number of the Town's Special Municipal Officer.



(2) Additional Seasonal Signage for Short-term Rental Unit Bordering any Golf Course: Any Short-term Rental Unit with a property line bordering a Golf Course within the Town shall from 1 May through 1 November install “Fee for Play Only / Private Property / No Trespassing” signs at the property line/golf course boundary. It is the responsibility of the owner/permit holder to ensure seasonal installation of this signage is maintained. These seasonal signs will be provided by the Town at the point in time that an approved Short-term Rental Permit is issued.

(HG) Interior Information Posting Requirements: Permit holders must prominently place display the following information on or adjacent to the front door inside in their Short-term Rental Units and, as appropriate, include it in their Permit Application:

(1) The Unit's Short-term Rental Permit (or copy thereof).

(2) The maximum number of individuals the property sleeps occupants and guests permitted at the permitted premises.

(2) A description or map to indicate the unit's assigned parking.

(3) Documentation of the annual safety inspection of the unit.

~~(4) A packet, provided by the Town, of relevant Town ordinances that guests are required to follow.~~

(45) Contact information for the Unit's owner and/or local representative; and

(56) The phone number, pick-up time, and receptacle location for the Unit's solid waste disposal service.

(I) Information Packet: An Information Packet, provided by the Town, of relevant Town ordinances, rules and regulations that guests are required to follow shall be available provided to renters and displayed conspicuously in a common area of the Short-term Rental Unit.

(J) Local Representative.

(1) Each Short-term Rental Unit shall identify a Local Representative including their phone number, who resides within Star Valley Wyoming.

(2) The designated Local Representative may be changed by the Permit holder from time to time throughout the term of the Permit. However, to change the Local Representative, the Permit holder must file a revised Permit application that includes the name, address and telephone number of the new Local Representative. Failure to notify the Town of a change in the Local Representative constitutes a violation pursuant to section §113.036 of this chapter.

(3) If the Town or Town Special Municipal Officer is not able to contact the Local Representative in a timely manner more than twice during the term of the annual Permit, this shall be considered a violation pursuant to section §113.06 of this chapter.

(J) Applicants with a history of previous violations may be barred from receiving a Permit.

~~§ 113.06 PERMIT RENEWAL.~~

~~—(A) Permits must be renewed annually.~~

~~—(B) Permit renewal applications shall be filed annually with the Town Administrative Department. The Town may, for good cause, as defined herein, refuse to renew a permit.~~

~~—(C) Permit renewal applications must comply with this Chapter. (Ord. 2021-24, passed 3-16-2022)~~

~~§ 113.07 PERMIT EXPIRATION.~~

~~—All Permits expire on the last day of December each year and must be renewed ten business days prior to expiration. If a permit is allowed to expire, the Permit holder will be required to pay a late fee of fifty (\$50.00) dollars for a renewal Permit. Any Permit not renewed by January 15 will be deemed revoked. Any person who continues to operate a Short-term Rental without a Permit shall be operating a Short-term Rental in violation of this Chapter.~~

~~(Ord. 2021-24, passed 3-16-2022)~~

~~§ 113.08 PERMIT REVOCATION.~~

~~—(A) A Permit issued under this Chapter shall be a personal privilege, good for the period for which it is issued, subject to the conditions that it may, for good cause, be suspended, revoked, or denied. Good cause shall mean making a false material statement in the Permit Application. Multiple documented failures of the local representative to respond to complaints from residents will also lay a foundation for good cause.~~

~~—(B) Suspension, revocation, or denial must be instituted by the Town Administrative Staff. Immediately upon suspension, revocation, or denial written notice thereof shall be provided by the Town Administrative Staff to the Permit holder by certified United States mail, which will be addressed to the Permit holder. Immediately upon the delivery of such notice the Permit shall become null and void.~~

~~(Ord. 2021-24, passed 3-16-2022; Ord. 2022-15, passed 11-16-2022)~~

~~§ 113.09 APPEAL.~~

~~—If a Permit is suspended, revoked, or denied by the Town Administrative Staff, the Permit holder or applicant may seek review of the decision, in which case the Town Council shall govern the hearing and appeal processes.~~

~~(Ord. 2021-24, passed 3-16-2022)~~

~~§ 113.11 ADMINISTRATIVE ENFORCEMENT.~~

~~—(A) Any communication by a property owner, manager, operator, or lessee to any person where the owner, manager, operator, or lessee offers their home for rent as a Short-term Rental shall constitute prima facie evidence of the operation of a Short-term Rental.~~

~~—(B) Other evidence of the operation of a Short-term Rental may include but is not limited to guest testimony and rental agreements.~~

~~(Ord. 2021-24, passed 3-16-2022)~~

~~§ 113.12 OPERATING WITHOUT A PERMIT.~~

~~—Property owners who are found to be operating a Short-term Rental Unit without a Permit will receive a \$750.00 fine and notice of violation in writing from the Town. The notice of violation will request that the violator file an Application for a Short-term Rental Permit within 14 days of receipt of the violation notice in the event they desire to continue offering Short-term Rentals. Anyone who has received a notice of violation and does not apply for a Permit, but subsequently rents to another short-term guest, will be given a citation requiring a mandatory court appearance. A property owner that continues to rent to a short-term guest will receive another citation for a mandatory court appearance and the ability to apply for a short-term rental permit will be suspended for one year. (See § 35.01 Bond Schedule and Court Appearances.)~~

~~(Ord. 2021-24, passed 3-16-2022; Ord. 2022-15, passed 11-16-2022)~~

§ 113.06 VIOLATION; INFRACTION; PENALTY.

The following conduct shall constitute a violation for which the penalties and sanctions specified in this section may be imposed:

(A) Violations.

(1) The rental guests of the Short-term Rental residential dwelling unit have created noise, disturbances, or nuisances, in violation of this code, or have disrupted the peaceful enjoyment of neighbors. Each incident shall be counted as a separate violation, even within the same day.

(2) The owner has failed to comply with the standards of section §113.03, §113.04 or §113.05 of this chapter. Each day of non-compliance shall be considered a separate violation.

(B) Penalties.

(1) For the first two violations within a 12-month period, the sanction shall be a warning notice.

(2) For the third violation within a 12-month period, the sanction shall be a revocation of the Permit.

(C) Written notice. The Town shall provide the Permit holder with written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative as well as the owner. First-class mailing by United States Postal Service shall constitute adequate notice. Email shall also constitute adequate notice, provided the email doesn't 'bounce' or is otherwise returned undeliverable within 24 hours of sending.

(D) Appeal of suspension or revocation. Pursuant to this section, the Town shall provide the Permit holder with a written notice of the Permit suspension or revocation and the reasons, therefore. The Permit holder may appeal the suspension or revocation and seek review of the decision, in which case the Town Council shall govern the hearing and appeal processes.

(E) Application for Permit after revocation. A person who has had a Short-term Rental Permit revoked shall not be permitted to apply for a subsequent Short-term Rental Permit for a period of one year from the date of revocation.

(F) Infraction. Unless otherwise provided, any person who shall commence or continue to operate a Short-term Rental for which a valid Permit is required by any provision of this title without first procuring the same shall be deemed guilty of an infraction. Property owners who are found to be operating a Short-term Rental Unit without a Permit will receive a fine and notice of violation in writing from the Town. The notice of violation will require that the violator file an Application for a Short-term Rental Permit within 14 days of receipt of the violation notice in the event they desire to continue offering Short-term Rentals. Anyone who has received a notice of violation and does not apply for and receive an approved Permit, but subsequently rents to another Short-term Rental guest, will be given a citation requiring a mandatory court appearance. A property owner that continues to rent to a Short-term Rental guest will receive another citation for a mandatory court appearance and the ability to apply for a Short-term Rental Permit will be suspended for one year. (See §35.01 Bond Schedule and Court Appearances.)

(G) An advertisement promoting the availability of Short-term Rental property in violation of Town code is prima facie evidence of a violation and may be grounds for denial or revocation of a permit. Other evidence of the operation of a residential Short-term Rental without a valid Permit number may include, but is not limited to: guest testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by a guest.

§ 113.0710 FRAUD AND MISREPRESENTATION.

(A) It is unlawful for any Permit holder to induce or attempt to induce any person to rent a Short-term Rental Unit by knowingly misinforming or misleading such person as to the Unit's period of availability, location, rental rate, or applicable regulations.

(B) It is unlawful for any Permit holder to knowingly misinform or mislead any Town agent or department during the initial Permitting process or a Permit renewal, or during any revocation, suspension, or denial process or hearing.