

**CITY OF SANTA CLARA, UTAH
ORDINANCE NO. 2023-07**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF SANTA CLARA UTAH BY AMENDING TITLE 5 “BUSINESS LICENSES AND REGULATIONS” CHAPTER 5.04.170 “LICENSE AND OPERATIONAL REQUIREMENTS” AND RESIDENTIAL RENTAL PROPERTIES CHAPTER 5.04 SECTION 5.04.180, “LICENSE REQUIRED” AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is important to update the City’s code from time to time to remain relevant and reflective of the ever-changing operating environment of the city; and

WHEREAS, staff would like to update Title 5, Business Licenses and Regulations, Chapter 5.04.170 “License and Operational Requirements”, and Chapter 5.04.180 “License Required”, and

WHEREAS, these items were discussed in City Council on February 1, 2023 during a Work Meeting, and

WHEREAS, staff has reviewed and revised the Ordinance and has been reviewed by the City Attorney, and

WHEREAS, the legislative body of the City of Santa Clara reviewed the recommendations of the Staff and City Attorney and acted on the proposed amendment to Title 5, Business Licenses and Regulations, Chapter 5.04.170 “License and Operational Requirements”, and Chapter 5.04.180 “License Required” on Feb. 22nd 2023, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, Utah, that Title 5, Business Licenses and Regulations, Chapter 5.04.170 “License and Operational Requirements”, and Chapter 5.04.180 “License Required” on Feb. 22nd 2023, and be amended as follows.:

Section 1. Amendment to Section:

**Title 5, Business Licenses and Regulations, Chapter 5.04.170
Section 5.04.170**

LICENSE AND OPERATIONAL REQUIREMENTS:

A. License Required: It is unlawful for any person to keep, conduct, operate or maintain a “short term residential rental property” as defined in section 17.20.260 of this code within the city without a business license for such dwelling unit. A person who owns multiple short-term residential rental properties is not required to obtain more than one business license for the operation and maintenance of those short-term residential rental properties.

B. License Not Transferable: A short term residential rental property business license is not transferable between persons or structures. Any person holding such license shall give written notice within thirty (30) days to the business license official after having transferred or otherwise disposed of legal or equitable control of any rental dwelling unit licensed under this article. Such notice of transferred interest shall be deemed a request to cancel an existing business license for such rental dwelling unit and shall include the name, address, and information regarding the person(s) succeeding to the ownership or control thereof.

C. Transient Room Tax: All short-term residential rental properties shall be subject to the collection of the municipality transient room tax as allowed under Utah Code.

D. Garbage Removal: Garbage shall be removed from the property by the owner or property manager and properly disposed of within twenty-four (24) hours of tenants leaving the property.

E. Cleaning Service: Each property shall be cleaned at least weekly while occupied and in between tenant occupancy. Each property shall also comply with the sanitary facilities requirements outlined for motels in this code.

F. Local Property Manager Required: All short-term residential rental properties shall designate a local property manager. The local property manager shall be available twenty-four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each short-term residential rental property shall have a clearly visible sign within the unit containing the following information: the name and phone number of the local property manager, and the maximum occupancy of the unit, and the day of garbage pick-up.

G. Owner and Property Manager Responsible: The owner and property manager shall be jointly and severally liable for any violations of this article. Any rental dwelling unit which is found in violation of this article, or any other requirement of this code may be subject to revocation of the short-term residential rental properties business license.

CITY INSPECTIONS:

The city may require an inspection of the rental dwelling unit as a condition of obtaining or renewing a business license if determined necessary by city staff.

Section 5.04.180

Residential Rental Properties

Section 5.04.180

LICENSE REQUIRED:

A. It is unlawful for any person to keep, conduct, operate or maintain a rental dwelling unit within the city without a business license for such dwelling. A person who owns multiple rental dwelling units or multiple buildings containing rental dwelling units is not required to obtain more than one business license for the operation and maintenance of those rental dwelling units.

B. A rental dwelling unit business license is not transferable between persons or structures. Any person holding such license shall give written notice within thirty (30) days to the business license official after having transferred or otherwise disposed of legal or equitable control of any rental dwelling unit licensed under this chapter. Such notice of transferred interest shall be deemed a request to cancel an existing business license for such rental dwelling unit and shall include the name, address, and information regarding the person(s) succeeding to the ownership or control thereof. The new owner shall obtain a business license as required by this chapter.

C. A business license shall not be required for a dwelling unit which is ordinarily owner occupied but is temporarily rented because:

1. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility, or
2. The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service. Indefinite periods of absence from the dwelling shall not qualify for this exception, or
3. The owner is on extended military deployment.

CITY INSPECTIONS:

The city may require an inspection of the rental dwelling unit as a condition of obtaining or renewing a business license if determined necessary by city staff.


Section 2. Effective Date:

This Ordinance shall become effective immediately upon adoption, recording and posting in the manner prescribed by law.

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah this 22nd day of February 2023.



ATTEST:


CHRIS SHELLEY, City Recorder

IN WITNESS, THERETO:


RICK ROSENBERG, Mayor

