

1 **Chapter 18.73 RESIDENTIAL SHORT-TERM RENTALS**

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26  
27 **18.73.010 Purpose.**

28 The purpose of this chapter is to provide a fair, equitable and streamlined means of allowing  
29 residential short-term rentals throughout Alpine County in a manner that provides for the health  
30 and safety of the occupants and does not create a public nuisance. (Ord. 723 § 1(1), 2017)

31 **18.73.020 Applicability.**

32 Residential short-term rentals may be located in any zone that allows residential use; provided  
33 that the residential short-term rental complies with all the requirements of this chapter. (Ord. 723  
34 § 1(2), 2017) Residential short-term rental means the use of a dwelling unit by any person or  
35 persons for the purpose of providing overnight lodging in exchange for payment for a period of  
36 less than 30 consecutive days. Short-term rentals also include owner-occupied short-term  
37 rentals, but do not include bed and breakfasts, inns, hotels and motels. Short-term rentals are  
38 prohibited in accessory (secondary) dwelling units or junior accessory dwelling units (Government  
39 Code 65852.2)

40 **18.73.030 Exemptions.**

41 A. Five Nights/Year. Residential short-term rentals offered or used up to a maximum of five nights  
42 per calendar year are exempt from the requirements of this chapter except that the owner or  
43 operator shall pay all applicable transient lodging taxes as required by county code.

44 B. One Bedroom in an Owner-Occupied Residence. One bedroom in an owner-occupied  
45 residence accommodating no more than three overnight guests is exempt from the requirements  
46 of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as  
47 required by county code. (Ord. 723 § 1(3), 2017)

48 ~~**18.73.040 Residential short-term rental registration required.**~~

49 ~~A residential short-term rental is required to be registered with the Alpine County community~~  
50 ~~development department prior to the establishment of such use. Registration for a residential~~  
51 ~~short-term rental shall be submitted to the community development department together with full~~  
52 ~~payment of the registration fee as determined by resolution of the board of supervisors. The~~

53 residential short-term rental shall comply with this chapter, except for specific exemptions or  
54 exceptions that are described in this chapter. (Ord. 723 § 1(4), 2017)

55 **18.73.050 Acknowledgement of registration.**

56 An acknowledgement of registration shall be issued by the community development director upon  
57 his/her determination that the residential short-term rental complies with all of the requirements of  
58 this chapter. The acknowledgement of registration is issued to the property owner or their  
59 designated agent, is not transferable and does not run with the land. (Ord. 723 § 1(5), 2017)

60 **18.73.060 Notification of residential short-term rental.**

61 Upon receiving an acknowledgement of registration and prior to offering the residential short-term  
62 rental, the property owner or their agent shall send a notification to all property owners shown on  
63 the latest equalized assessment roles as owning real property within three hundred feet of the  
64 property where the residential short-term rental is located. Notices shall contain the property  
65 owner's and, if applicable, the rental agent's name, telephone number and mailing address; street  
66 address of the residential short-term rental unit, description of the residential short-term rental  
67 use, name and phone number for twenty-four/seven emergency contact.

68 This notification requirement does not apply to residential short-term rentals located within the  
69 Kirkwood Specific Plan and Bear Valley Master Plan areas. (Ord. 723 § 1(6), 2017)

70 **18.73.070 Standards.**

71 A. Limitation on Structures. A residential short-term rental may be conducted only within a legally  
72 established residential unit or portion thereof.

73 B. Noise Limitations. No activity at any time shall produce sounds measured in excess of the  
74 standards as stated in Section 18.68.090(B) of this code.

75 C. Outdoor Fires. Outdoor fires are limited pursuant to Chapter 8.16 regarding outdoor burning  
76 and fire control.

77 1. East slope properties which violate the standards of CC 8.16 for outdoor fire will be  
78 prohibited from all future outdoor burning with the exception of propane fuel barbeques  
79 and appliances.

80 D. Solid Waste. Solid waste storage and disposal shall not become a nuisance. The property  
81 owner shall not fail to adequately provide for appropriate refuse collection and/or storage. Solid  
82 waste violations include failure to secure waste from wildlife, leaving waste out for excessive time,  
83 and failure to secure waste from weather.

84 1. East slope properties which violate the standard for solid waste shall be required to install  
85 a wildlife-proof solid waste receptacle or "bear-box."

86 ~~D~~E. Parking. No additional parking in excess of what is required for the residential use of the  
87 property shall be required.

88 ~~E~~F. Signs. One single, non illuminated sign of not more than six square feet in area is permitted.  
89 In addition, each residential short-term rental shall have an address placard displayed on the  
90 building or land in such manner as to be clearly visible from the street or road on which the  
91 residential short-term rental is located. The address placard shall comply with the requirements of  
92 the California Fire Code.

93 ~~F~~G. Life Safety Measures. The following life safety measures are required to be in place within  
94 the area to be used for the residential short-term rental:

95 1. Operating smoke detector(s) and carbon monoxide detector(s) installed in accordance  
96 with state law;

- 97 2. At least one functioning fire extinguisher in an easily accessed location inside the space;  
98 3. Written information available to the occupant in a conspicuous location inside the space  
99 containing twenty-four/seven emergency contact information for a representative of the  
100 property owner or rental agent, law enforcement, fire department, and ambulance services.

101 H. Confinement of Pets. Guests of residential short term rentals shall confine pets per the  
102 requirements of CC 6.04.160.

103 I. Outdoor Lighting. For all exterior lighting the light source shall be fully shielded from  
104 neighboring properties and directed downward. All light fixtures, including security lighting, shall  
105 be aimed and shielded so that the direct illumination shall be confined to the property boundaries  
106 of the source. Motion sensing light fixtures shall be fully shielded from neighboring properties and  
107 properly adjusted to turn off when detected motion ceases.

108 J. Interior Notice Requirements. Each rental shall have a clearly visible and legible notice posted  
109 within the unit on or adjacent to the front door, containing the following information:

- 110 A. The name of the managing agency, agent, property manager, local contact, or owner of  
111 the unit, and a telephone number at which that party may be reached on a 24-hour basis.  
112 B. The number and location of on-site parking spaces and the parking rules for seasonal  
113 snow removal.  
114 C. The trash pickup day and notification that trash and refuse shall not be left or stored on  
115 the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00  
116 p.m. on the day designated for trash pick up and that the failure to utilize the provided  
117 garbage can enclosure, unless otherwise exempted, is a violation of this chapter.  
118 D. Occupants and/or guests of the rental shall not create unreasonable noise or  
119 disturbance, engage in disorderly conduct, or violate provisions of this Code or any State  
120 law pertaining to noise or disorderly conduct, and shall not produce noise such that  
121 neighboring properties are disturbed between the hours of 9:00 p.m. and 7:00 a.m.  
122 E. Occupants may be cited and fined for violating any provisions of the Alpine County Code.

123 ~~G~~K. Compliance with Other Codes, Laws and Regulations. The residential short-term rental shall  
124 be conducted in compliance with other applicable codes, laws and regulations including, but not  
125 limited to, all applicable provisions of the Alpine County Code.

126 ~~H~~L. Public Nuisance. The residential short-term rental shall not be operated in a manner that  
127 creates a public nuisance. (Ord. 723 § 1(7), 2017)

128 M. Local Contact. The property owner shall designate a local contact. The local contact may be  
129 a professional property manager, realtor, property owner, or other designated person who is  
130 available 24 hours per day, seven days per week during all times that the property is rented, and  
131 has access and authority to assume management of the unit and take remedial measures. The  
132 local contact shall be required to abate a nuisance relating to noise, trash, or parking within one  
133 hour after being notified of the existence of a potential violation of this chapter. The local contact  
134 shall be located within one hour driving distance of the short term rental.

135 N. Advertisement. The residential short-term rental shall post the license identification number  
136 issued by the County within all online listings or other advertisements of the property for rent.

137 **18.73.080. Enforcement and Penalties.**

- 138 A. Upon violation of the standards the responsible party and property owner will receive a written  
139 warning that additional violations of the standards will result in an administrative fine.  
140 B. The second successive violation of the standards will cause an administrative fine not to  
141 exceed \$500. The third successive violation of the standards will cause an administrative fine not  
142 to exceed \$750. The fourth violation will cause an administrative fine not to exceed \$1,000 and  
143 the license to conduct short-term rental use shall be revoked and the property shall be prohibited

144 from future short-term rental use. Successive violation means there have been three upheld fines  
145 for violations which fines were issued during three separate events and/or calls at the property  
146 within any 24 month period.

147  
148 **18.73.080090 Transient lodging tax proof of payment.**

149 On or before April 1st of each year, payment in full of all transient lodging taxes due for the  
150 preceding calendar year shall be confirmed by the community development department.  
151 Nonpayment of transient lodging taxes is a violation of this chapter and the county may take  
152 action against the property owner and/or operator of the residential short-term rental pursuant to  
153 the applicable sections of the Alpine County Code. (Ord. 723 § 1(8), 2017)

154 **18.73.090100 Preexisting transient lodging uses.**

155 A. ~~Bear Valley and Kirkwood. Pursuant to Alpine County Ordinance No. 596-97, transient lodging~~  
156 ~~use has been allowed as a use by right within the Bear Valley Master Plan and Kirkwood Specific~~  
157 ~~Plan areas of Alpine County. Within twelve months of the effective date of the ordinance codified~~  
158 ~~in this chapter, all transient lodging uses in residential dwellings in existence and future transient~~  
159 ~~lodging uses proposed in these two areas shall complete the registration process, receive an~~  
160 ~~acknowledgment of registration and comply with all of the requirements for residential short-term~~  
161 ~~rentals as described in this chapter.~~

162 B. ~~All Other Areas. Transient lodging permits issued prior to the effective date of the ordinance~~  
163 ~~codified in this chapter shall continue to be valid and registration shall not be required as long as~~  
164 ~~the operation complies with all of the other requirements of this chapter. (Ord. 723 § 1(9), 2017)~~

- 165 A. Effective July 1, 2021 all short term rentals in residential dwellings in existence shall  
166 obtain a license and comply with all of the requirements for residential short-term rentals  
167 as described in this chapter.  
168 B. Effective July 1, 2021 East slope residential short-term rentals are required to meet the  
169 operational standards of this section and are subject to enforcement provisions including  
170 administrative citations for violation of operational standards.

171 **18.73.110 No property rights conferred.**

172 Residential short-term rental licenses shall not be construed as providing property rights or  
173 vested interests and entitlements in continued operation of a short term rental. Residential short  
174 term rental licenses are revocable. Residential short term rental licenses shall not run with the  
175 land.

176  
177 **18.73.120 License required.**

178 No person shall rent, offer to rent, or advertise for rent a residential unit to another person or  
179 persons for a short-term rental without a license approved and issued in a manner provided for by  
180 this chapter. Only owners of a residential unit are eligible to apply for and receive a short-term  
181 rental license. Licenses for operation of a short-term rental shall be issued pursuant to an  
182 administrative policy developed by the County planner and/or his designee.

183  
184 **18.73.130 Application requirements.**

185 Prior to renting, offering to rent or advertising the rental of a residential unit for a short-term rental,  
186 the property owner shall make an application to the County on a form provided by the County.  
187 The application shall be filed by the owner and include the following information:

- 188 1. The full true name under which the business will be conducted.  
189 2. The address and assessor parcel number where the short term rental is to be conducted.  
190 Where multiple units are located on the same parcel, each unit's address shall be  
191 provided \_\_\_\_\_ on a separate application.  
192 3. The owner's full true name, mailing address, email address and telephone number.  
193 4. In the case that a separate management company or person shall assume responsibility of  
194 the short-term rental for the owner, the management company or contact person's name.

195 phone number, mailing address and email address shall be provided in addition to the  
196 owner.

197  
198 **18.73.140 Requirements for license issuance.**

199 The County shall consider the information included in the a submitted application in order to  
200 determine whether the issuance of the license for the short-term rental is consistent with the  
201 provisions of this chapter. Upon determination by the County that the following criteria have been  
202 met, the County shall approve the license:

- 203 1. The number of licensed short-term rentals within the East slope short-term rental overlay  
204 district does not exceed thirty (30).
- 205 2. The property is not within 100 feet distance as measured from the property boundary to a  
206 licensed short-term rental property in the Residential Neighborhood or Residential Estate  
207 zoning district or within 100 feet of the dwelling unit for a licensed property in the  
208 Agriculture zoning district. For property in the Agriculture zoning district the dwelling unit  
209 shall not be within 100 of a licensed short-term rental property. Properties with a valid  
210 registration or transient lodging home occupancy permit approved prior to March 17,  
211 2020 are not required to meet the 100 feet distance requirement if the owner applies for a  
212 license prior to July 1, 2021. Legal non-conforming uses which do not meet the 100 feet  
213 distance requirement are allowed to continue short-term rental use by maintaining an  
214 annual license. Legal non-conforming status with the 100 feet distance requirement shall  
215 be rescinded if a legal non-conforming use changes ownership, fails to renew the annual  
216 license, the license is revoked by the County, or upon cessation of use. The limits of this  
217 section apply only to properties within the East slope.
- 218 3. A license for a short-term rental use for the residential unit has not been revoked in the  
219 prior twenty-four month period;
- 220 4. The premises or residential unit is not currently the subject of an active compliance order  
221 or administrative citation for violation of this code;
- 222 5. An administrative citation has not been issued, regarding a violation on the site, in the  
223 past twelve months;
- 224 6. The property owner has demonstrated, through an application filed to the County, the  
225 ability to meet the requirements of this Chapter.

226  
227 **18.73.150 License form and period of validity.**

228 All licenses for short-term rental uses shall be made on forms furnished by the community  
229 development department and shall be issued for a period of one year. Licenses shall be issued  
230 for the period of time beginning on July 1st of each year and shall conclude on June 30th of the  
231 following year. Applications made during the year shall be issued for a prorated period to  
232 conclude on June 30th.

233  
234 **18.73.160 License issuance and non-transferability.**

235 The short-term rental licenses issued under this chapter shall be issued to the owner of record of  
236 the residential unit and no license may be assigned, transferred or loaned to any other person,  
237 entity, location or establishment.

238  
239 **18.73.170 Term of license; expiration.**

240 The short-term rental license shall be personal to the applicant/owner and shall automatically  
241 expire upon sale or transfer of the premises or residential unit, or if not renewed pursuant to  
242 Section 18.73.180. The license may be revoked for failure to comply with the requirements of the  
243 County Code, subject to the administrative and revocation procedures outlined in Section  
244 18.73.200, unless otherwise specified by this chapter.

245  
246 **18.73.180 License renewal.**

247 The short-term rental license shall automatically renew upon payment of the short-term rental  
248 license renewal fee and all required transient occupancy tax remittance documents associated  
249 with the short-term rental license. Nonrenewal prior to the expiration date will result in expiration

250 of the short-term rental license and will require that a new application be made subject to  
251 Sections 18.73.130 and 18.73.140 and all other requirements of this code.

252  
253 **18.73.190 Cessation of use of a residential unit as a short-term rental.**

- 254 A. Where the owner of a premises or residential unit used and occupied as a short-term rental  
255 pursuant to a short-term approved and issued in the manner provided by this chapter fails to  
256 remit transient occupancy tax for a period of twelve (12) consecutive months as determined  
257 by the County, the short-term rental license shall be deemed to have automatically expired  
258 and shall be forfeited.  
259 B. Where the owner of a premises or residential unit used and occupied as a short-term rental  
260 pursuant to a short-term rental license approved and issued in the manner provided by this  
261 chapter intends to cease such use and abandon the short-term rental license for the  
262 residential unit, the owner shall promptly cause a notice of cessation to be filed with the  
263 County. The short-term rental license for the unit shall expire immediately upon receipt by  
264 the County of the notice of cessation.

265  
266 **18.73.200 License revocation.**

267 A short-term rental license issued under the provisions of this chapter may be revoked by the  
268 County planner or his/her designee after notice and hearing, as provided in Section 18.73.210  
269 below, for any of the following reasons:

- 270 1. Fraud, misrepresentation or false statement contained in the application;  
271 2. Fraud, misrepresentation or false statement made in the course of carrying on a short-  
272 term rental as regulated by this chapter;  
273 3. Any violation of any of the provisions of this chapter or of any other provision of this code;  
274 or  
275 4. Cessation of use

276  
277 **18.73.210 License revocation notice.**

278 Before revoking a short-term rental license, the County planner or his/her designee shall give the  
279 owner notice in writing ten days prior to the revocation action.

280  
281 **18.73.220 Appeal from denial or revocation of license.**

282 Any person whose application has been denied by the County planner or his/her designee or any  
283 person who has had a short-term rental license revoked by the County planner or his/her  
284 designee shall have the right to appeal per County Code 18.88.

285  
286 **18.73.230 Fee.**

- 287 A. The County shall collect an annual fee of \$100 for every application.  
288 B. The above fee amount is not anticipated to fully cover the cost of administering this  
289 Ordinance; however within twelve months of this Ordinance, the County shall conduct a  
290 fee study to determine the total cost of administering this Ordinance.  
291 a. If, based on the results of the fee study, the fee needs to be increased, the  
292 County may increase the Fee by way of resolution for any new or renewed  
293 registrations.  
294 b. If, based on the results of the fee study, the fee exceeds the cost of administering  
295 this Ordinance, the County shall decrease the fee by way of resolution and shall  
296 also reimburse applicants their proportional share of overpayment.