

**CITY OF YACHATS
ORDINANCE NO. 291**

**AN ORDINANCE AMENDING, IN PART SECTION 4.08.030 OF THE YACHATS
MUNICIPAL CODE - TRANSIENT RENTAL STANDARDS AND SECTION 4.08.040
LICENSE AND ANNUAL FEE**

WHEREAS, previous complaints filed with the City have demonstrated that when driveways used for access to a transient rental use a shared private drive and/or cross the private property of others it adversely affects the neighborhood; and

WHEREAS, renters parking cars in the shared private drive in such a way as to block ingress and egress to another property creates a safety problem by limiting the ability of emergency personnel to respond;

NOW THEREFORE, the City of Yachats ordains as follows:

Section 1. Section 4.08.030 is hereby amended to read as follows

4.08.030 Standards.

A transient rental license shall be issued to the dwelling owner providing the following standards can be met:

A. A contact person or agent within the local 547 or 563 calling area must be identified on the application and available by phone at all reasonable times (eight a.m. to eleven p.m.) and immediately respond if there is a problem during the dwelling's use as a transient rental. The name and phone number of the contact person shall be posted inconspicuously on the transient rental building, but where a neighbor can easily read it.

B. One off-street parking space shall be provided for each bedroom in the dwelling, but in no event shall fewer than two spaces be provided. This provision shall be waived for any existing transient rental as of the effective date. If access to the rental property crosses private property via an easement, right-of-way, or other conveyance, all parking must be contained on the rental property. Required parking will be unimpeded, surfaced, useable and available to renters. The parking shall be mapped and posted in the home.

C. Vehicular traffic generated by the use of the dwelling as a transient rental shall not exceed what is reasonably expected within a residential neighborhood. If access to the rental property crosses private property via an easement, right-of-way, or conveyance, ingress and egress must be accomplished without encroachment on other properties adjoining the privately maintained access road or driveway. In such situations applicants will provide evidence of their right to use the privately maintained access road or driveway consistent with transient rental before a transient rental license is granted.

D. There shall not be any noise, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a transient rental.

E. The use shall not adversely affect the residential character of the neighborhood. The maximum allowable number of overnight occupants shall be two persons per sleeping area plus two additional persons. The rental agent shall match the number of persons and vehicles to the particular property being rented. Tents and similar structures shall not be allowed on transient rental properties.

F. Weekly solid waste collection service shall be provided. A sufficient number of suitable garbage receptacles shall be provided. Except on collection day, these garbage receptacles shall not be readily visible from the street. Renters shall be advised not to place trash outside in plastic bags.

G. Each transient rental shall provide and maintain a container for the disposal of cooking grease into a solid waste receptacle to prevent the grease from entering the sewer system.

H. Transient rental licenses are non-transferable.

I. The licensee must comply with the requirements of the transient room tax ordinance as a condition for issuance or renewal of a transient rental license. (Ord. 191, 1997: Ord. 148 § 3, 1992)

Section 2. Section 4.08.040 is hereby amended to read as follows

4.08.040 Inspection, license and annual fee.

The city recorder shall prepare an application form for a transient rental license. Prior to issuance of a transient rental license, the city will inspect the subject property to determine occupancy capacity, parking and access compliance. Upon receipt of the completed application, the annual license fee, inspection and attestation that the licensing standards have been met, the city recorder shall issue a license to the applicant (not the dwelling) for a period of one year. The license may be renewed annually if all standards are met. If a license is renewed annually until at least five years have elapsed the city will re-inspect every five years. An inspection fee will be assessed for the initial inspection and for each five year inspection completed by the city. A transient rental licensee shall not be required to pay a business occupation license fee in addition to the annual license fee. The annual license and inspection fees ~~fee~~ shall be set by resolution of the city council.

Complaints received by the city may trigger a re-inspection.

All licenses shall be obtained prior to any rental of the property. The required application and license fee are due on January 1st of each year for the fiscal year commencing with that date and are delinquent on February 1st. The delinquency fee will be set by resolution. (Ord. 199 § 1, 1997: Ord. 148 § 4, 1992)

PASSED AND ADOPTED by the City Council of the City of Yachats on this ____ day of _____.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

APPROVED by the Mayor this ____ day of _____.

Ronald L. Brean, Mayor

Nancy Batchelder, City Recorder