

**ORDINANCE NO. 2022-10**

**AN ORDINANCE AMENDING SECTION 1707, BED AND BREAKFAST INN, SHORT-TERM RENTALS, HOTEL/MOTEL INCLUDING EXTENDED-STAY ROOMS, A LAND USE ORDINANCE OF RICHFIELD CITY, ESTABLISHING ZONES FOR DETERMINATION OF THE NUMBER OF SHORT-TERM RENTALS ALLOWED IN THE CITY.**

**PREAMBLE**

**WHEREAS**, the City of Richfield ("City") has adopted the Zoning Ordinance, a Land Use Ordinance of Richfield, 2007 Edition, hereinafter the "Zoning Ordinance"; and

**WHEREAS**, the Richfield City Planning Commission held a Public Meeting to receive comment on the proposed amendments to Section 1707 of the Zoning Ordinance, a Land Use Ordinance of Richfield City, and have recommended to the City Council amendments to limit the number of short-term rentals in Richfield City; and

**WHEREAS**, Richfield City Council conducted a Public Hearing to receive comments on the Planning Commission's recommendation; and

**WHEREAS**, the Mayor and City Council of the City of Richfield have comprehensively examined proposed amendments as approved and submitted by the Planning Commission; and

**WHEREAS**, the Mayor and City Council of the City of Richfield have examined impacts of such uses and find that it is best to keep such uses dispersed because clustering of such uses have negatively impacted property values in some other communities; and

**WHEREAS**, the Mayor and City Council of the City have determined that the enactment of these amendments will be in the best interest of the City, its citizens, inhabitants, owners, occupants, or users of property within the City; now, therefore;

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RICHFIELD, SEVIER COUNTY, STATE OF UTAH:**

**SECTION 1.** Preamble: The recitals in the Preamble are enacted to be deemed a part of this Ordinance and are hereby declared to express the intent hereof.

**SECTION 2.** Section 1707 of the Zoning Ordinance, a Land Use Ordinance of Richfield City, is amended as follows:

**Section 1707—Bed and Breakfast Inn, Short-Term Rentals and Hotel/Motel including Extended Stay Rooms:**

**SECTION 3.** All other sections or provisions of the Richfield City Zoning Ordinance, a Land Use Ordinance of Richfield City, not inconsistent with the amendments herein, shall remain in full force and effect.

**SECTION 4.** Effective Date. This Ordinance shall become effective immediately upon adoption, posting and publication of a Summary on the public meeting notice website [www.pmn.utahogov](http://www.pmn.utahogov).

PASSED and APPROVED this 8<sup>th</sup> day of March 2022.



CITY OF RICHFIELD

By Bryan L. Burrows  
Bryan L. Burrows, Mayor

ATTEST:

Michele H. Jolley  
Michele H. Jolley, City Recorder

(S E A L)

|                               | <u>AYE:</u> | <u>NAY:</u> |
|-------------------------------|-------------|-------------|
| Councilmember Brayden Gardner | <u>✓</u>    | _____       |
| Councilmember Todd Gleave     | <u>✓</u>    | _____       |
| Councilmember Kip Hansen      | <u>✓</u>    | _____       |
| Councilmember Elaine Street   | <u>✓</u>    | _____       |
| Councilmember Tanner Thompson | <u>✓</u>    | _____       |

A Bed and Breakfast Inn, a Short-Term Rental, and a Hotel/Motel including Extended Stay Rooms shall be traditionally to promote accommodations for travelers, which are in short supply at times, and shall comply with the following:

1. A Bed and Breakfast Inn or a Short-Term Rental shall be conducted only in a single-family dwelling and only by the owner of the dwelling and shall meet all applicable requirement of this Ordinance, and all other Land Use Ordinances, Building Codes, and Health Codes, as applicable. *A single-family dwelling shall be a dwelling on its own parcel that can be sold as its own separate entity. Short-term rentals shall not be allowed in apartments.*
2. ~~The maximum number of guestrooms provided in a Bed and Breakfast or Short-term rental shall not exceed three (3).~~
2. The City Fire Chief shall inspect the premises of a Bed and Breakfast, Short-term rental, Hotel/Motel or Extended Stay and provide a Fire Clearance that the dwelling and premises comply with all applicable Fire Codes, as adopted.
3. One (1) off-street parking area for each guest room, in addition to the parking requirements for the single-family dwelling, shall be provided. Parking of recreation vehicles, during the rental period, shall be allowed in the frontage of the rental unit so long as it does not block driveways, sidewalks, or the clear view area of a street or drive-way of an adjoining property or impede traffic on the street.
4. The address of any dwelling unit used for a Bed and Breakfast or Short-term Rental shall be clearly visible.
5. No accessory structure, motor home, travel trailer, boat, or similar vehicle or facility shall be used as guest rooms.
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7. *If the property is sold, the short-term rental business shall not be transferrable to the new owner.*
8. *The City shall be divided equally into three areas based on the number of homes located in each area. No more than 5% of the number of homes in each area shall be allowed to be used as a short-term rental property.*
9. *The property must be used as a short-term rental at least one time per year.*



10. *Short-term rentals are only allowed on properties having a single-family home on its own parcel.*
11. A Hotel/Motel shall provide transient rooms regularly rented for less than 30 days for a fee as herein defined and shall meet all applicable requirements of this Ordinance, and all other Land Use Ordinances, Building Codes, and Health Codes, as applicable.
12. A Hotel/Motel rooms regularly rented on a weekly or monthly basis exceeding a transient term of less than 30 days shall be considered extended stay rooms. Rooms used for Extended Stay shall provide a working kitchen, including a sink, a cooktop or range, and bathroom; assigned and rented for more than one week, but not to exceed 90 days within a 180-day period. All rooms used for Extended Stay shall be cleaned regularly to comply with public health codes and prevent sanitation problems. The number of Extended Stay rooms shall not exceed 25% of the number of hotel/motel rooms available at the business location and shall meet all applicable requirements of this Ordinance, and all other Land Use Ordinances, Building Codes, and Health Codes, as applicable.
13. The Chief of Police may require that the manager or person in charge of any motel or hotel shall furnish a list of the persons who have registered at such motel, hotel including all guests in an Extended Stay room. The date and time of arrival of an occupant of each unit shall be noted upon the record to be kept pursuant thereto. In no event shall there be a letting to, or occupancy by, any other person of such unit within the day noted. No person residing within the municipality for a period of 60 days, or over, in any 180-day period, is to be deemed a transient under the provisions of the City Code, nor is such person to be permitted to occupy any unit licensed hereunder unless such unit is so constructed to be in full compliance with the Building Code.
14. No person shall register for accommodations at any hotel or motel under a false, fictitious, or assumed name, without first making his or her true name known to the person in charge thereof.
15. Whoever violates or fails to comply with any of the provisions of this section is guilty of a class B misdemeanor for each such offense. A separate offense shall be deemed committed for each unit and for each day during or on which a violation or noncompliance occurs or continues.
16. A business license, sales tax number, and collection of transient room tax shall be required for a Bed and Breakfast, Short-term Rental, Hotel/Motel, and Extended Stay. *The business license shall be renewed annually.*