

**A SUMMARY OF ORDINANCE NO. 1011  
PASSED BY THE CITY OF McCALL, IDAHO**

AN ORDINANCE OF THE CITY OF MCCALL, VALLEY COUNTY, IDAHO, AMENDING TITLE 3 *PLANNING AND ZONING* OF THE MCCALL CITY CODE AS FOLLOWS: IN CHAPTER 2 *DEFINITIONS* AMENDING SECTION 3.2.02 *MEANING OF TERMS OR WORDS* TO PROVIDE ADDITIONAL DEFINITIONS FOR *EVENTS, LOCAL CONTACT PERSON, AND OCCUPANT*, AND REVISING THE DEFINITION FOR *BEDROOM AND DWELLING, SHORT-TERM RENTAL* TO CHANGE THE OCCUPANCY RATE REQUIRING A CONDITIONAL USE PERMIT FROM TWENTY (20) PERSONS TO ELEVEN (11) PERSONS; IN CHAPTER 3 *RESIDENTIAL ZONES AND STANDARDS* AMENDING SECTION 3.3.02 *PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN RESIDENTIAL ZONES* CHANGING THE ALLOWED USE FOR DWELLING, SHORT TERM RENTAL, TO REFLECT THE AMENDED DEFINITIONS OF DWELLING, SHORT TERM RENTAL, OCCUPANCY FEWER THAN 11 PERSONS AND DWELLING, SHORT TERM RENTAL, OCCUPANCY 11 OR MORE PERSONS, AND THE REQUIREMENT FOR A CONDITIONAL USE PERMIT; IN CHAPTER 4 *COMMERCIAL ZONES AND STANDARDS* AMENDING SECTION 3.4.02 *PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN COMMERCIAL ZONES* ADDING AN ALLOWED USE FOR DWELLING, SHORT-TERM RENTAL, OCCUPANCY FEWER THAN 11 PERSONS AND DWELLING, SHORT-TERM RENTAL, OCCUPANCY 11 OR MORE PERSONS AND THE REQUIREMENT FOR A CONDITIONAL USE PERMIT; IN CHAPTER 13 *PERMITS AND APPLICATIONS* DELETING SECTION 3.13.036 *ADDITIONAL CONDITIONAL USE PERMIT STANDARDS FOR DWELLING, SHORT-TERM RENTAL WITH OCCUPANCY OF 20 OR MORE GUESTS* IN ITS ENTIRETY; ADDING SECTION 3.13.09 *PERMIT STANDARDS FOR DWELLING, SHORT-TERM RENTALS* TO ESTABLISH THE STANDARDS APPLICABLE TO SHORT TERM RENTALS IN EXCESS OF 11 PERSONS; ADDING A NEW CHAPTER, *SHORT TERM RENTAL PERMITS*, TO TITLE 4 BUSINESS REGULATIONS TO ESTABLISH THE PERMIT PROCESS AND REGULATIONS FOR OPERATION OF A SHORT TERM RENTAL; PROVIDING A VALIDITY AND SAVINGS CLAUSE AND EFFECTIVE DATE.

The principal provisions of the Ordinance:

- Amend Section 3.2.02 to add new definitions for *Events, Local Contact Person, and Occupant*, and to revise definitions for *Bedroom and Dwelling, Short-Term Rental*.
- Amend Table 3.3.02 to reflect the amended definitions and revised occupancy rate requirement for conditional uses.
- Amend Table 3.4.02 to reflect the amended definitions and revised occupancy rate requirement for conditional uses.
- Remove in its entirety Section 3.13.036 detailing previous conditional use permit standards for dwellings and short-term rentals with occupancies of twenty or more persons.

- Add Section 3.13.09 to establish a permit process and standards applicable to short term rentals exceeding eleven (11) persons, including addressing compliance and enforcement.
- Add new chapter entitled, *Short Term Rental Permits*, to Title 4 to establish the purposes, permitting requirements and application process, regulatory standards, compliance, and enforcement and penalties applicable to the operation of short-term rentals.
- Include a validity clause, savings clause, and effective date.

The Ordinance shall take effect upon its passage, approval, and publication according to law.

The full text of the Ordinance is available for review at City Hall and will be provided by the City Clerk to any citizen upon personal request or can be viewed on the City website at [www.mccall.id.us](http://www.mccall.id.us).

APPROVED BY THE COUNCIL OF THE CITY OF McCall, IDAHO, THIS 22 DAY OF SEPTEMBER, 2022.



Attest:

By BessieJo Wagner  
BessieJo Wagner, City Clerk

Approved:

By Robert S. Giles  
Robert S. Giles, Mayor

# WHITE PETERSON

## ATTORNEYS AT LAW

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September 13, 2022

City of McCall  
BessieJo Wagner, City Clerk  
216 E. Park St.  
McCall, ID 83638  
Delivered electronically to [bwagner@mccall.id.us](mailto:bwagner@mccall.id.us)

***Re: Summary Certification Ordinance 1011 – Short Term Rental Permits***

Dear BessieJo,

**Opinion:** As a legal advisor for the City of McCall, please consider this my statement and opinion that the attached summary is true and complete and provides adequate notice of the contents of said ordinance to the public.

**Requested Action:** Upon passage of the ordinance please proceed to file this statement with the original ordinance in the Ordinance Book of the City of McCall, as required by Idaho Code 50-901A (3).

Sincerely,

WHITE PETERSON



Matthew A. Johnson

## ORDINANCE NO. 1011

AN ORDINANCE OF THE CITY OF MCCALL, VALLEY COUNTY, IDAHO, AMENDING TITLE III *PLANNING AND ZONING* OF THE MCCALL CITY CODE AS FOLLOWS: IN CHAPTER 2 *DEFINITIONS* AMENDING SECTION 3.2.02 *MEANING OF TERMS OR WORDS* TO PROVIDE ADDITIONAL DEFINITIONS FOR *EVENTS*, *LOCAL CONTACT PERSON*, AND *OCCUPANT*, AND REVISING THE DEFINITION FOR *DWELLING*, *SHORT-TERM RENTAL* TO CHANGE THE OCCUPANCY RATE REQUIRING A CONDITIONAL USE PERMIT FROM TWENTY (20) PERSONS TO ELEVEN (11) PERSONS; IN CHAPTER 3 *RESIDENTIAL ZONES AND STANDARDS* AMENDING SECTION 3.3.02 *PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN RESIDENTIAL ZONES* CHANGING THE ALLOWED USE FOR DWELLING, SHORT TERM RENTAL, TO REFLECT THE AMENDED DEFINITIONS OF DWELLING, SHORT TERM RENTAL, OCCUPANCY FEWER THAN 11 PERSONS AND DWELLING, SHORT TERM RENTAL, OCCUPANCY 11 OR MORE PERSONS, AND THE REQUIREMENT FOR A CONDITIONAL USE PERMIT; IN CHAPTER 4 *COMMERCIAL ZONES AND STANDARDS* AMENDING SECTION 3.4.02 *PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN COMMERCIAL ZONES* ADDING AN ALLOWED USE FOR DWELLING, SHORT-TERM RENTAL, OCCUPANCY FEWER THAN 11 PERSONS AND DWELLING, SHORT-TERM RENTAL, OCCUPANCY 11 OR MORE PERSONS AND THE REQUIREMENT FOR A CONDITIONAL USE PERMIT; IN CHAPTER 13 *PERMITS AND APPLICATIONS* DELETING SECTION 3.13.036 *ADDITIONAL CONDITIONAL USE PERMIT STANDARDS FOR DWELLING, SHORT-TERM RENTAL WITH OCCUPANCY OF 20 OR MORE GUESTS* IN ITS ENTIRETY; ADDING SECTION 3.13.09 *PERMIT STANDARDS FOR DWELLING, SHORT-TERM RENTALS* TO ESTABLISH THE STANDARDS APPLICABLE TO SHORT TERM RENTALS IN EXCESS OF 11 PERSONS; ADDING A NEW CHAPTER, *SHORT TERM RENTAL PERMITS*, TO TITLE 4 BUSINESS REGULATIONS TO ESTABLISH THE PERMIT PROCESS AND REGULATIONS FOR OPERATION OF A SHORT TERM RENTAL; PROVIDING A VALIDITY AND SAVINGS CLAUSE AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCALL, IDAHO:

**Section 1:** That Section 3.2.02 of Chapter 2, Section 3.3.02 of Chapter 3, and Section 3.4.02 of Chapter 4, Title 3 Planning and Zoning be and the same are hereby AMENDED as shown on Exhibit A attached hereto.

**Section 2:** That Section 3.13.036 of Chapter 13, Title 3 Planning and Zoning is hereby DELETED in its entirety.

**Section 3:** That Section 3.13.09 of Chapter 13, Title 3 Planning and Zoning is hereby ADDED as shown on Exhibit A attached hereto.

**Section 4:** That a new chapter, Short Term Rental Permits, of Title 4 Business Regulations is hereby ADDED as shown on Exhibit B attached hereto.

**Section 5:** All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**Section 6. Validity:** The McCall City Council hereby declares that any section, paragraph, sentence, or word of this ordinance as adopted and amended herein be declared for any reason to be invalid, it is the intent of the McCall City Council that it would have passed all other portions of this ordinance independent of the elimination therefrom of any portion as may be declared invalid.

**Section 7. Savings Clause:** This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

**Section 8. Date of Effect:** This ordinance shall be in full force and effect after its passage, approval, and publication, according to law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF McCALL, IDAHO, THIS 8th DAY OF SEPTEMBER, 2022.



Attest:

By BessieJo Wagner  
BessieJo Wagner, City Clerk

Approved:

By Robert S. Giles  
Robert S. Giles, Mayor

**EXHIBIT A to  
ORDINANCE 1011**

**Additions and Revisions to 3.2.02: MEANINGS OF TERMS OR WORDS:**

BEDROOM: A fully enclosed portion of a building designed or intended to be used for sleeping purposes, including a closet, door that can be closed and an Emergency Escape and Rescue Opening, as defined by the International Fire Code. ~~room within a dwelling which is designed and built as an area for sleeping. Spaces not originally designed or built for sleeping which are converted from another use in order to be used as an area for sleeping will not be counted as a bedroom unless a building permit and certificate of occupancy were issued.~~

EVENTS: Weddings, receptions, family reunions, seminars, retreats, corporate events, commercial functions, and any other similar events that would exceed occupancy limits identified in the Short-Term Rental permit for a given Short-Term Rental structure.

DWELLING, SHORT-TERM RENTAL: A dwelling, including a single-family or a multi-family unit, which is rented for the purpose of overnight lodging for compensation, money, rent or other bargained for consideration for a period of one or more days and not more than thirty (30) consecutive days. Short term rentals are also commonly referred to as tourist or vacation rentals. Short term rentals with occupancy of eleven (11) persons or more shall require a conditional use permit.

LOCAL CONTACT PERSON: The person designated by the Owner, or the Owner's authorized agent or representative, who shall be available twenty-four (24) hours per day, seven (7) days per week while a Short-Term Rental Dwelling is rented, for the purpose of: a) responding within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the short term rental; and b) taking remedial action to resolve any such complaints.

OCCUPANT: The person or persons who contract, either directly or through a third party, for use of a Short-Term Rental Dwelling.

**Revisions to TABLE 3.3.02**

**PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN RESIDENTIAL ZONES**

Allowed Use	RR	RE	R1	R4	R8	R16
Dwelling, Short-Term Rental, occupancy <del>less than 20</del> fewer than 11 persons	A	A	A	A	A	A
Dwelling, Short-Term Rental, occupancy <del>20-11</del> or more persons <sup>NOTE</sup>	C	C	C	C	C	C

NOTE

A conditional use permit is required for any Short-Term Rental with occupancy of eleven (11) persons or more.

**Additions to TABLE 3.4.02**

**PERMITTED AND CONDITIONALLY PERMITTED USES WITHIN COMMERCIAL ZONES**

Allowed Use	NC	CC	CBD
Dwelling, Short-Term Rental, occupancy fewer than 11 persons	<u>A</u>	<u>A</u>	<u>A</u>
Dwelling, Short-Term Rental, occupancy 11 or more persons <sup>NOTE</sup>	<u>C</u>	<u>C</u>	<u>C</u>

NOTE

A conditional use permit is required for any Short-Term Rental with occupancy of eleven (11) persons or more.

**Deletion of entirety of Section 3.13.036: ADDITIONAL CONDITIONAL USE PERMIT STANDARDS FOR DWELLING, SHORT-TERM RENTAL WITH OCCUPANCY OF 20 OR MORE GUESTS.**

**Addition of a new Section 3.13.09 as follows:**

**3.13.09: STANDARDS-FOR DWELLING, SHORT TERM RENTALS:**

(A) Purposes: The purposes of these requirements for a Short-Term Rental Dwelling are:

1. To ensure that the use of Short-Term Rental Dwellings have no greater impacts than would be created by long-term residential occupancy of the Dwelling;
2. To protect the health, safety and general welfare of occupants of Short-Term Rental Dwellings and the surrounding property owners through an inspection of Short-Term Rental Dwelling structures in compliance with MCC Title 2 and the applicable codes referenced therein; and
3. To protect the rights of property owners adjacent to Short-Term Rental Dwellings to a quiet, safe and neighborly environment free from nuisances that would not exist or would be less intensive but for the use of a Dwelling as a Short-Term Rental.

(B) Permit Required: Prior to advertising or operating a Dwelling as a Short-Term Rental, any property owner or property manager who leases, rents or otherwise makes available for compensation a Short-Term Rental Dwelling, such property owner or manager must first obtain a Short-Term Rental Permit pursuant to MCC Title 4.

(C) Standards: All Dwelling Short-Term Rentals shall comply with the following requirements:

1. Access: Owners shall maintain access to the property and structures that is safe and free from obstructions for pedestrians and vehicles and shall be adequately sized and designed

so that access to other properties is not impacted nor are unsafe conditions on public streets created contrary to the standards adopted by the McCall Fire District and the City Council.

2. Parking: All parking for the unit is contained on the site, not more than one (1) parking space per bedroom is provided, all trailers and vehicles shall be parked on an improved surfaced area and shall not allow parking on the public right-of way.
3. Occupancy: Short-Term Rentals shall contain no more than two (2) persons per bedroom, plus two additional persons, as identified in the Short-Term Rental Permit application and as defined by McCall City Code Section 3.2.02. Total maximum occupancy of the Short-Term Rental shall not exceed ten (10) persons without the issuance of a conditional use permit pursuant to MCC 3.13.03.
4. Noise: Loud music, outdoor activities or any other source of noise that can be heard beyond the perimeter of the Short-Term Rental premises shall not be generated between the hours of 10:00 p.m. and 8:00 a.m. the following day.
5. Health and Safety Inspection: Protection of the health and safety of occupants of a Short-Term Rental Dwelling and surrounding property owners shall be ensured through an inspection and approval of the Short-Term Rental Dwelling by the Fire Code Official for the McCall Fire Protection District prior to the issuance of a business license pursuant to MCC Title 4, Chapter 2. Such inspection shall be subject to a fire, health and safety checklist developed by the Fire Code Official and approved from time-to-time by resolution of the City Council.
6. Posted Notice: A written notice shall be posted in a conspicuous location within the unit that describes restrictions on use of the unit. Such notice shall include, but is not limited to the structure's maximum occupancy, parking requirements, solid waste and fireplace ash disposal, quiet hours, noise restrictions, and restrictions on outdoor activity. A written notice shall also be posted detailing the emergency exiting plan approved by the Fire Code Official, Short-Term Rental business permit number, and the name and phone number of Local Contact Person and property owner.
7. Events: No Events shall be located at a Short-Term Rental without first obtaining a conditional use permit.
8. Accessory Dwelling Unit: If the Short-Term Rental is located on a parcel that contains an accessory dwelling unit and a primary residence, then one of the dwellings must be owner occupied or a local housing, non-Short-Term Rental, dwelling unit.
9. Exterior Changes: No exterior changes shall be made to the structures or site conditions at a Short-Term Rental that would eliminate its appearance or use as a Dwelling Unit for long term residency.

(D) Application Process: An application for a Short-Term Rental business license shall be submitted to the City in compliance with the procedures set forth in Title 4.



(E) Compliance:

1. All Owners wishing to operate a Short-Term Rental must be in immediate compliance with the provisions of this Section as well as the provisions of Title 4 applicable to Short-Term Rentals as follows:

a. All Owners of Short-Term Rentals may continue to operate under existing business licenses through December 31, 2022.

b. Owners of existing Short-Term Rentals wishing to operate in 2023 or at any time thereafter must submit an application for a Short-Term Rental Permit to the City according to the provisions of Title 4.

c. Any Owner shall submit an application for a Short-Term Rental Permit after October 1, 2022 and must be in general compliance with all the Short-Term Rental regulations in this chapter and Title 4 by January 1, 2024. All permits will expire on December 31 of each year and must be renewed annually.

(F) Enforcement of the requirements set forth in this section shall follow the enforcement provisions of MCC Title 4.

**EXHIBIT B to  
ORDINANCE 1011**

**Addition of a New Chapter of Title 4 to be titled “Short-Term Rental Permits”**

**4-: PURPOSE:**

A. The purpose of this Chapter is to establish permit requirements for the use of Dwelling Units as Short-Term Rentals, to safeguard the public health, safety and general welfare, to protect the integrity of the City's neighborhoods, to establish a system to track the Short-Term Rental inventory in the City, to ensure compliance with local ordinances and laws, and to allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

B. Nothing in this Chapter shall be construed so as to nullify or override any prior or current lease agreements, or covenants, conditions, and restrictions applicable to any property within the City of McCall that may prohibit or restrict such property's use for Short-Term Rental purposes.

**4-: DEFINITIONS:**

**LOCAL CONTACT PERSON:** The person designated by the Owner, or the Owner's local contact person or representative, who shall be available twenty four (24) hours per day, seven (7) days per week while the Short-Term Rental is rented, for the purpose of: a) responding within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the Short-Term Rental; and b) taking remedial action to resolve any such complaints.

**OWNER:** The person(s) or entity(ies) which hold the fee interest to the real property underlying any Dwelling Unit.

**DWELLING, SHORT-TERM RENTAL:** A Dwelling Unit, including single-family or a multi-family unit, which is rented for the purpose of overnight lodging for compensation, money, rent or other bargained for consideration for a period of one or more days and not more than thirty (30) consecutive days. Short term rentals are also commonly referred to as tourist or vacation rentals. Short term rentals with occupancy of eleven (11) persons or more shall require a conditional use permit.

**SHORT-TERM RENTAL PERMIT:** A permit that allows the use of a residential Dwelling Unit as a Short-Term Rental pursuant to the provisions of this chapter, and that incorporates by consolidation a municipal non-property tax permit and any other potential licensing required by this code.

**4- : PERMIT REQUIRED:**

**PERMITS REQUIRED AND ISSUANCE OF PERMITS:**

- A. Prior to advertising and offering for rent a dwelling as a Short-Term Rental within the City of McCall, all Owners of such property shall file with the City Clerk an application for and be granted a Short-Term Rental Permit.
  - 1. All Short-Term Rentals in the City of McCall shall comply with MCC section 3.13.09 prior to the issuance of a Short-Term Rental Permit.
  - 2. A Short-Term Rental Permit is valid only for one residential Dwelling Unit identified in the permit application. An owner of such Dwelling Unit shall file a separate application and obtain a separate permit for each Dwelling Unit to be used as a Short-Term Rental.
  - 3. A permit for a Short-Term Rental shall be issued and renewed on an annual basis. Upon a change of ownership of the property, the Short-Term Rental permit is canceled and if a new owner intends to rent the Dwelling Unit on a short-term basis, a new permit is required.
- B. Every application for said permit shall be made upon a form prescribed by the City Clerk.
- C. The application for a Short-Term Rental Permit shall include:
  - 1. The owner's legal name, contact telephone number, mailing addresses, email address, and proof of ownership;
  - 2. Name under which the applicant transacts or intends to transact business;
  - 3. The Valley County Assessor information including the property address, accessor parcel information, and number of bedrooms;
  - 4. Local Contact Person's name, contact telephone number, both physical and mailing addresses, and email address;
  - 5. Total bedrooms and occupancy;
  - 6. A dimensioned floor plan of the Short-Term Rental unit indicating the name and use of each room; and location of all egress doors;
  - 7. A site plan of the property including the location and number of parking spaces and parking access;
  - 8. The signatures of the Owner and Local Contact Person, if different, agreeing and acknowledging that they are jointly responsible for compliance by the occupant and any guests with MCC 3.13.09, and all other applicable laws, rules, and regulations pertaining to the use and occupancy of the Short-Term Rental;

9. The date of the mailing to property owners and list of property owners who were mailed the following information: the address for the Short-Term Rental, the maximum occupancy and number of vehicles allowed to be parked, and the name and contact information including telephone number for the Local Contact Person. Such notice of Short-Term Rental information shall be sent to all property owners within three hundred feet (300') of the location of the Short-Term Rental.
  10. Proof of established Solid Waste, Refuse and Rubbish removal services as described in Title 5, Chapter 8 of the McCall City Code;
  11. Signed acknowledgement of the requirements and standards as set forth in 3.13.09;
  12. If any information required in the Application for a Short-Term Rental Permit changes, the Owner or Local Contact Person shall promptly advise the City in writing delivered to the City Clerk.
- D. A fee commensurate with the cost of the application processing, established by resolution of the City Council. Any fee changes shall not affect any permits already in process but shall be applied prospectively for future applications and renewals of existing permits issued after adoption of such fee by the City Council.
- E. Upon receipt of a complete application and payment of all applicable fees (Short-Term Rental Permit and Fire Inspection fees), the City Clerk shall forward the permit application to the (a) the City Community and Economic Development Department for review of compliance with the standards for Short-Term Rentals, and (b) the McCall Fire District for the schedule of the fire, health and safety inspection. No permit shall be granted unless the Short-Term Rental unit meets these requirements and has been approved by the McCall Fire District.
- F. Upon approval by the Community and Economic Development Department and McCall Fire, and proof of compliance, the City Clerk shall issue to each applicant a permit for each Short-Term Rental unit. A Short-Term Rental Permit shall not be assignable and shall be valid only for the Owner in whose name it is issued and for the transaction of business at the rental unit designated therein. It shall at all times be conspicuously displayed at the location for which it was issued. Issuance of a permit may be subject to additional requirements as set forth in this chapter.
- G. On the face of the permit shall be affixed a Short-Term Rental number which shall be used by the applicant as an identifying number on all filing, payment, and correspondence with regard to the non-property tax imposed under this title.
- H. A Short-Term Rental permit expires on December 31st of each year; However, if the residential dwelling identified in the application is sold or title is otherwise transferred, the permit shall automatically expire upon the transfer of title and the new owner must apply for a new permit. The application fee will not be prorated.

- I. A Short-Term Rental permit application may be denied if the applicant, or owner are not the same, or has had a prior Short-Term Rental permit for the same rental unit revoked within the past twelve (12) calendar months.
- J. Within fourteen (14) days of a change of local contact person, or any other material change in facts pertaining to the information contained in the Short-Term Rental Permit, the new proposed local contact person shall submit an update to the Short-Term Rental permit, on a form provided by the City Clerk, which must be obtained prior to continuing to rent the subject unit as a Short-Term Rental. An administrative fee adopted by resolution of the City Council will apply.
- K. If a Conditional Use Permit is, or has been granted for a Short-Term Rental, such Conditional Use Permit shall not authorize use of property as a Short-Term Rental without also obtaining a Short-Term Rental Permit as provided herein. The provisions of any issued Conditional Use Permit shall be controlling and shall supersede any provision herein that is in conflict with the provisions of a duly issued Conditional Use Permit.

#### **4- PENALTIES**

- A. The City may issue a notice of violation to any occupant or owner(s) pursuant to this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties.
- B. The City may impose a civil penalty upon any occupant, owner(s) or local contact person, or pursue criminal enforcement, pursuant to the provisions set forth in Title 3, Chapter 17 of this code.
  - 1. Penalties for Non-compliance: The City may impose a civil or criminal penalty upon any occupant, Owner(s) or Local Contact Person, found to be in violation of the provisions of this Section or the provisions of Title 3. Enforcement and penalties shall be administered according to the Provisions set forth in Title 3, Chapter 17 of this code, including, but not limited to, the imposition of any and all civil or criminal penalties set forth therein if there is any violation of this chapter committed, caused or maintained by any of the above parties. Provided however, the first violation by an Owner or Local Contact Person of any ordinance relating to the operation and use of Short-Term Rentals within the City shall result in a fine in the amount of three hundred dollars (\$300). The Second violation by an Owner or Local Contact Person of an ordinance relating to the operation and use of Short-Term Rentals within the City shall result in a fine in the amount of one thousand dollars (\$1,000). The third and any additional violation thereafter of any ordinance relating to the operation and use of Short-Term Rentals within the City by an Owner or Local Contact shall be a misdemeanor and shall result in revocation of the Short-Term Rental Permit for the property that was the situs of the offense for a period of two (2) years.
- C. Any civil penalty or criminal citation shall be subject to further actions in the courts of Valley County, Idaho, subject to the procedures outlined herein.

D. It shall be a public nuisance for any person to commit, cause or maintain a violation of this chapter, which shall be subject to the provisions of Title 3, Chapter 17 of this code. Note that these fines are in addition to any imposed in Chapters 11 and 12 of this Title.