

## ORDINANCE 2022-28

### AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY, TITLE 11, CHAPTER 9, ARTICLE M: USE REGULATIONS APPLICABLE TO RESIDENTIAL AND CIVIC ZONES, TO ADD SHORT TERM RENTAL REGULATIONS

**WHEREAS;** the City has residents and property owners who desire to monetize the investment of their property as a short term rental; and

**WHEREAS;** the City permits rentals of residential properties with a business license; and

**WHEREAS;** the City aims to balance the rights of all property owners and limit conflicts between incompatible uses; and

**WHEREAS;** the City Planning Commission has recommended regulations for Short Term Rentals defined as rentals lasting fewer than thirty (30) days.

**NOW THEREFORE, BE IT ORDAINED** by the North Ogden City Council that the North Ogden City Code 11-9M-21 Short Term Rental Regulations be created, as follows:

**SECTION 1:** Text to be added:

#### **11-7: DEFINITIONS**

**Owner-Occupied Residential Property:** Real property that is occupied by its owner as the owner's primary residence.

**Short Term Rental:** A residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

#### **11-9M-21: SHORT TERM RENTAL REGULATIONS**

- A. Purpose and Intent. The purpose of this section is to provide regulations for short term rentals.
- B. Location.
  1. Short term rentals are only permitted
    - a. within all owner-occupied residential structures, or
    - b. those managed by an owner or management company who can respond within 1 hour at any time.
  2. Short term rentals are permitted within owner-occupied accessory dwelling units, both attached and detached.

- C. Parking. Short term rentals shall provide one parking space per bedroom being rented.
- D. Property Contact.
  - 1. Short term rental owners shall provide a phone number and contact information for an owner or property manager who can be reached by phone 24 hours a day 7 days per week
  - 2. Short term rental owners shall provide a phone number and contact information for an owner, property manager, or representative who can be physically at the house within one hour of a call. If the owner or property manager is not responsive within three contact attempts, then a Civil Citation will be issued by the North Ogden Police Department.
- E. License: Short term rentals shall obtain a Rental Business License.
- F. Inspection.
  - 1. Short term rentals shall be inspected by the Fire Department prior to initial approval of the Business License and shall be inspected annually at the time of business license renewal thereafter.
  - 2. Inspection shall include:
    - a. Compliance with Building, Fire, and Health Codes.
    - b. Smoke Detectors shall be installed in each bedroom.
    - c. Ground fault circuit interrupter (GFCI) outlets required in locations set by Building Code.
    - d. Ingress and egress doors and windows shall meet Building Code at the time of application.
    - e. Hand or Guard Rails shall be required in locations set by Building Code.
- G. Occupancy: Maximum occupancy for a short term rental shall be no more than 12 persons.
- H. Penalty: Any violation shall result in a revocation of the permit along with a minimum fine of \$500 of the first offense and \$1,000 for second offense.

**SECTION 2:** This ordinance shall take effect upon adoption.

**PASSED and ADOPTED this 13<sup>th</sup> day of December 2022.**

**North Ogden City:**



A handwritten signature in blue ink, appearing to read "A. Neal Osborne", is written over a horizontal line.

S. Neal Berube  
North Ogden City Mayor

**CITY COUNCIL VOTE AS RECORDED:**

	<b>Aye</b>	<b>Nay</b>	
<b>Council Member Barker:</b>	<u>  X  </u>	___	
<b>Council Member Cevering:</b>	___	___	<b>(excused)</b>
<b>Council Member Dalpiaz:</b>	<u>  X  </u>	___	
<b>Council Member Swanson:</b>	<u>  X  </u>	___	
<b>Council Member Ekstrom:</b>	<u>  X  </u>	___	
<b>(In event of a tie vote of the Council):</b>			
<b>Mayor Berube</b>	___	___	

**ATTEST:**

  
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**Susan L. Nance, CMC**  
**City Recorder**

