

CHAPTER 5.55

SHORT-TERM RESIDENTIAL RENTALS

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5.55.010 Purpose.

(A) The purpose of this chapter is to establish regulations for short-term residential rentals in order to safeguard the peace, safety and general welfare of neighborhoods within the City of Riverside by minimizing negative secondary effects related to short-term residential rentals, including, but not limited to, excessive noise, disorderly conduct, illegal parking, overcrowding and excessive accumulation of refuse; and to ensure that the city is collecting transient occupancy tax pursuant to Chapter 5.32 of this code.

(B) This chapter is not intended to provide any owner of residential property with the right or privilege to violate any deed restrictions or private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term residential rental purposes as defined in this chapter. Short-term residential rentals are not permitted in dwelling units that have deed restrictions for affordable housing purposes or have other city, housing authority or other government-imposed conditions of approval or restrictions which prohibit the use of said dwelling unit as a short-term residential rental as defined herein.

5.55.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(A) "**Broker**" means any entity or person, including but not limited to, on-line websites, on-line travel agencies and on-line booking agents that offers, lists, advertises, accepts reservations and/or collects whole or partial payment for a short-term residential rental unit.

(B) "**Designated Local Contacts**" means at least two persons, one of whom shall be available 24 hours per day, seven days per week for the purpose of responding to the location of the residential

unit within 30 minutes to address complaints regarding the condition or operation of the short-term residential rental unit or the conduct of the occupants or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit.

(C) **"Good Neighbor Brochure"** means the city's brochure titled "Short-Term Residential Rental Good Neighbor Standards" or a similarly titled brochure made available by the city which briefly describes the city's requirements for the operation, maintenance and use of short-term residential rentals.

(D) **"Occupancy"** means the use or possession, or the right to the use or possession, of any short-term residential rental for dwelling, lodging or sleeping purposes.

(E) **"Owner"** means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term residential rental.

(F) **"Owner's authorized agent"** means an agent designated by the owner to comply with the requirements of this chapter on behalf of the owner, as provided for in Section 5.55.030 of this chapter.

(G) **"Short-term residential rental"** is defined as the rental of any legally permitted dwelling unit, as that term is defined in Chapter 19.910 of this code, or one or more portions of any legally permitted dwelling unit, for occupancy purposes for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying a short-term residential rental shall be deemed to be occupying for a period of 30 days or less until the period of 30 days has expired, unless there is a contract or agreement in writing between the owner and the occupant providing for a longer period of occupancy. **Short-term residential rental** includes any contract or agreement that initially defined the rental term to be greater than 30 consecutive days and which was subsequently amended, either orally or in writing, to permit the occupant(s) of the owner's short-term residential rental to surrender the subject dwelling unit before the expiration of the initial rental term that results in an actual rental term of 30 consecutive calendar days or less.

(H) **"Short-term residential rental unit"** is any legally permitted dwelling unit, as that term is defined in Chapter 19.910 of this code, all or any portion of which is made available as a short-term residential rental. Each short-term residential rental unit shall have an assigned real property address.

5.55.030 Authorized agent.

(A) An. owner may in writing authorize an agent to comply with the requirements of this chapter on behalf of the owner. The authorized agent shall submit a copy of the authorization to the city during the initial permit and all renewal permit process(es).

(B) Notwithstanding subsection (A) of this section, the owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term residential rental unit, regardless of whether such noncompliance was committed by the owner, the owner's authorized agent, the occupants of the owner's short-term residential rental unit or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit.

5.55.040 Business Tax Certificate required.

The owner or owner's authorized agent is required to obtain a business tax certificate pursuant to Chapter 5.04 of this code before renting or advertising the availability of a short-term residential rental unit.

5.55.050 Operational requirements.

The following requirements shall be applicable to each short-term residential rental unit and shall be provided for in the short-term residential rental permit:

(A) The owner and, if applicable, the owner's authorized agent shall ensure that the provisions of Chapter 5.32 of this code regarding the collection and remittance of transient occupancy taxes are complied with for the short-term residential rental unit. A broker that collects any revenue from arranging or listing a short-term rental unit shall have primary responsibility for collecting, paying and transmitting all revenues due to the city pursuant to Chapter 5.32 of this code.

(B) The owner and, if applicable, the owner's authorized agent shall use all reasonably prudent business practices to ensure that the short-term residential rental unit is used in a manner that complies with all applicable federal, state and local laws, rules and regulations pertaining to the use and occupancy of the subject short-term residential rental unit, including, without limitation, all noise or other nuisance avoidance standards.

(C) The owner and, if applicable, the owner's authorized agent shall use all reasonably prudent business practices to ensure that the short-term residential rental unit is operated, maintained and used in a manner that complies with the city's good neighbor brochure.

(D) While a short-term residential rental unit is rented, at least one designated local contact person shall be available 24 hours per day, seven days per week. The owner and, if applicable, the owner's authorized agent shall be responsible for making sure that at least one designated local contact is always available and that any person who attempts to contact the designated local contact can easily determine which designated local contact(s) are available at that time.

(E) The owner and, if applicable, the owner's authorized agent shall post the name and telephone number of the designated local contact who is on-call that day on the exterior of the unit in plain and conspicuous view for the public. The name and telephone number shall be typewritten in a bold and clearly readable type font which is either at least a 14-point font or at least one-quarter inch in height.

(F) Upon oral or written notification of a violation, the owner and, if applicable, the owner's authorized agent shall ensure that a designated local contact or other authorized person responds within 30 minutes from the initial contact and in an appropriate manner to immediately address the situation and prevent a recurrence. Failure of the owner and, if applicable, the owner's authorized agent to respond to such notifications in a timely and appropriate manner shall subject the owner to all administrative, legal and equitable remedies available to the city. For purposes of this section, a violation shall mean any condition or operation of the short-term residential rental unit or the conduct of the occupants or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit which allegedly is causing a violation of applicable federal, state or local laws, rules and regulations pertaining to the use or occupancy of the subject short-term residential rental unit, including, without limitation, any noise or other nuisance avoidance standard.

(G) In accordance with the provisions of Chapter 9.60 of this code, the owner, the owner's agent, the renter or any other person responsible for an event held at the short-term residential rental unit may be held liable for the cost of any subsequent police response to such event.

(H) Occupants of the short term residential rental unit shall not generate loud and unnecessary noises inconsistent with Chapter 9.04.700 of this code.

(I) The short-term rental unit shall comply with Chapter 19.150.020 A – Permitted Land Uses/Assemblies of People-Entertainment, and Chapter 5.80.010 – Entertainment Permit of this code. No use of the short-term rental unit as an event venue contrary to this code is permissible.

(J) The owner and, if applicable, the owner's authorized agent shall use reasonably prudent business practices to ensure that the short-term residential rental unit is used for residential purposes

only.

(K) Prior to occupancy of a short-term residential rental unit, the owner and, if applicable, the owner's authorized agent shall:

(1) Obtain the name, address and telephone number of the renter.

(2) Provide a copy of the City's good neighbor brochure to the renter. In addition, require the renter to execute a formal acknowledgment that he or she has received the good neighbor brochure and that he or she will be responsible for compliance with the good neighbor brochure by the renter, all occupants and all invited or uninvited guests of the renter and occupants.

(3) Require the renter to execute a formal acknowledgment that he or she is legally responsible for compliance with all applicable federal, state and local laws, rules and regulations pertaining to the use and occupancy of the short-term residential rental unit, including, without limitation, all noise or other nuisance avoidance standards by the renter, all occupants and all invited or uninvited guests of the renter and occupants.

(4) The information required in subsections (K)(1) through (K)(3) above shall be maintained by the owner and, if applicable, the owner's authorized agent for a period of three years following the end of the rental period. Written copies of the information shall be made available upon request to any City representative for the enforcement of any provision of the municipal code or any other applicable law, rule or regulation pertaining to the use and occupancy of the short-term residential rental unit.

(L) Trash and refuse shall not be left stored within public view, except in proper containers as required by this code for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days.

(M) On-site parking shall be allowed on approved driveway, garage, and/or carport areas only. Parking of over-sized vehicles must comply with the provisions of § 19.580.070 of this code.

(N) The number of occupants allowed to occupy any given short-term residential rental unit shall be limited to two people per bedroom plus one person per unit.

(O) The Community & Economic Development Director, or his/her designee, shall have the authority to impose additional conditions on the use of any given short-term residential rental unit to ensure that any potential secondary effects unique to the subject short-term residential rental unit are avoided or adequately mitigated.

5.55.060 Penalties and enforcement.

(A) Any person violating any of the provisions of this chapter shall be deemed guilty of an infraction and shall be subject to all applicable penalties or punishments available to the City, including, without limitation, those provided for in Chapter 1.17 of this code.

(B) Except as otherwise provided, enforcement of this chapter is at the sole discretion of the persons authorized to enforce this chapter, including the Police Chief, Community and Economic Development Director, Code Enforcement Manager or their designees. Nothing in this chapter shall create a right of action in any person against the city or its agents for damages or to compel public enforcement of this chapter against private parties.

(C) In addition to any other penalties available to the City, in accordance with the provisions of Chapter 9.60 of this code, the owner, the owner's agent, the renter or any other person responsible for an event may be held liable for the cost of a subsequent police response to such event.

5.55.070 Interpretation.

This chapter shall be construed liberally in favor of regulation, as determined if necessary and appropriate by the Community & Economic Development Director, or his/her designee, for the public protection and welfare and to accomplish its purpose and intent.