

WORKING DOCUMENT: THIS IS ONLY A DRAFT OF AN ORDINANCE CAPTURING THE CONCEPTS AS DISCUSSED AT P&Z MEETINGS TO DATE. THIS IS NOT A FINAL DRAFT FOR CONSIDERATION.

AN ORDINANCE OF THE TOWN OF PINEDALE, WYOMING CREATING ARTICLE XLI OF CHAPTER 475 CONCERNING REQUIREMENTS FOR SHORT-TERM RENTAL PROPERTIES.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINEDALE, WYOMING, THAT ARTICLE XLI OF CHAPTER 475 OF THE PINEDALE MUNICIPAL CODE IS HEREBY CREATED TO READ AS FOLLOWS:

ARTICLE XLI

SHORT-TERM RENTAL

§475-340. Definitions.

- A. SHORT-TERM RENTAL:** Short-Term Rental Property (STR) is a property that is used and/or advertised for rental of all or a portion of a dwelling for transient occupancy by guests for a continuous period of 1 to 29 days. Units rented to the same occupant for 30 or more continuous days, Commercial Properties with Bed and Breakfast establishments, hotels, and motels shall not be considered short-term rental property.
- B. OWNER OCCUPIED:** The owner of the property permanently resides at the STRP or in the principal residential unit with which the STRP is associated on the same lot. The owner must be present on the property during the time which the property is being rented. Examples of owner-occupied include: renting a portion of the owner's dwelling (room rental), rental of the main dwelling while the owner is living in the accessory dwelling unit and such accessory dwelling unit is permissible by the zoned district.

§475-341. Applications.

- A.** All short-term rental facilities, whether existing or proposed, shall receive a permit from the Town of Pinedale and pass a life safety inspection prior to commencing operation as a short-term rental. The Planning & Zoning Department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance. A permit application fee and inspection fee as set by Town Council resolution shall accompany all permit applications.
 - 1.** The life safety inspection shall include, at a minimum, functional smoke detectors, a fire extinguisher (minimum rating 2A:10BC) and a carbon monoxide alarm. Each sleeping room shall be provided with a code compliant means of egress. The designated inspector is authorized to create forms and apply

additional requirements as necessary to protect life and safety of short-term rental users.

- B.** Short Term Rental Permits shall expire on January 31 of each year and must be renewed annually prior to expiration. Permit holders may submit renewal applications between December 1 and January 10. All renewals shall be accompanied by the renewal fee as set by Town Council resolution. Permits that have not been renewed by January 31st will expire on February 1st. Applicants whose STR permit expired must complete the process for an initial STR permit to resume operation of their short-term rental.

§475-342. General Requirements.

- A.** Short-term rentals are not permitted outdoors, in an un-attached accessory structure (e.g. shed, garage, etc.), or in a recreational vehicle. Short-term rentals in properly conforming Accessory Dwelling Units (ADU) are permitted. Tents, campers and recreational vehicles may not be utilized by the owner(s) or operator(s) of the short-term rental as overnight accommodations on the same property as a permitted short-term rental.
- B.** Only one short-term rental permit will be issued per deeded property or lot.
- C.** Each short-term rental may only be rented to one group at any one time (i.e. a single booking).
- D.** Occupancy of a dwelling used for short-term rental is limited to the lesser of 2.6 guests per guest sleeping room (total rounded to the nearest whole number) or a total of ten (10) guests. (Note: Facilities exceeding 10 guests are to be classified as hotels/motels and may be considered pursuant to that classification.)
- E.** Parking for the STRP must utilize parking on the property of the STRP or parking in the right-of-way immediately adjacent to the STRP property.
- F.** Short-term rentals are classified as lodging facilities by the State and must be registered with the WY Department of Revenue and collect all applicable room, occupancy and sales taxes required by law.
- G.** The following must be posted in a visible area in the rental structure:
 - 1.** Contact information for responsible party
 - 2.** Short-term rental permit
 - 3.** Floor plan of structure indicating fire escape routes
 - 4.** Address of property
 - 5.** Emergency response contact information (i.e. 911)
- H.** Any advertising or description of an STRP on any website must display the permit number or an image of the permit.
- I.** Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as an STRP is prohibited. The STRP shall outwardly appear as a residential dwelling.

- J. Short-term rental permits shall not be transferred or assigned to another individual, person, entity, or address. Further, a permit does not authorize any person, other than the person named therein, to operate an STRP on the property.
- K. Town staff shall maintain a log of nuisances and complaints lodged against a property operating as a STRP. If three separate complaints are logged against a property in a 2 year period Town staff will review the STRP permit for possible suspension or revocation. A suspension or revocation may be appealed to the Town Council by the holder of the STRP permit.
- L. Within the following zone districts un-hosted (non-owner occupied) short-term rentals shall be permissible:
 - 1. C-1
 - 2. C-2
- M. Within the following zone districts only hosted (owner occupied) short-term rentals shall be permissible provided the short-term rental is not operated in a multi-family dwelling:
 - 1. A
 - 2. R-S
 - 3. R-1
 - 4. R-2
 - 5. R-2a
 - 6. R-4
 - 7. MH
- N. Within the following zone districts short-term rentals shall not be permissible:
 - 1. I-1
 - 2. I-2
 - 3. UT

§475-343. Nuisances, Violations and Penalties.

- A. Any violation of this article is adjudged and declared to be a nuisance and shall summarily be abated by proper proceeding brought therefor.
- B. Any person, firm or corporation violating any of the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be subject to the general penalty as provided in Chapter 1, Article IV, General Penalty, of this Code.
- C. Advertising that offers a property as a Short-Term Rental shall constitute prima facie evidence of the operation of a Short-Term Rental and the burden of proof shall be on the owner, operator or lessee of record to establish that the subject property is being used as a legal Short-Term Rental or is not in operation.
- D. Other evidence of the operation of a Short-Term Rental without a valid permit may include, but is not limited to: guest testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by a guest.

E. Each day during which a person operates a Short-Term Rental Unit for which a permit is required, constitutes a separate violation thereof.

PASSED ON FIRST READING ON _____.

PASSED ON SECOND READING ON _____.

PASSED, APPROVED AND ADOPTED ON THIRD READING ON _____.

ATTEST:

TOWN OF PINEDALE,
WYOMING:

BY: _____
MATT W MURDOCK, MAYOR

TOWN CLERK

ATTESTATION BY TOWN CLERK

STATE OF WYOMING)
COUNTY OF SUBLETTE) ss.
TOWN OF PINEDALE)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Pinedale Roundup, a newspaper of general circulation published in the Town of Pinedale, Wyoming, on the _____ day of _____.

I further certify that the foregoing Ordinance was duly recorded on Page _____ of Book _____ of Ordinances of the Town of Pinedale, Wyoming.

Town Clerk