**ORDINANCE NO.177**

**AN ORDINANCE TO ADOPTING SHORT-TERM VACATION RENTALS REGULATIONS WITHIN THE INCORPORATED LIMITS OF THE CITY OF LOSTINE.**

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF LOSTINE, OREGON, AS FOLLOWS:

Whereas The City of Lostine recognizes the community can be affected by unregulated short-term rentals:

Whereas, short term rentals can enhance a vibrant tourist industry:

Whereas, The City of Lostine can benefit from the transient room tax revenue:

Whereas, regulations from Department of Environmental Quality prohibits the excessive use of single-family septic systems, until which time that The City of Lostine installs a sewer system only certain short term vacation rentals can be allowed.

SECTION 1. DEFINITIONS FOR UNDERSTANDING SHORT TERM RENTALS:

The following words and phrases shall have the meanings given them in this section.

HOSTED HOMESHARE means the transient rental of a portion of a dwelling while the homeowner is present for less than 30 days.

VACATION HOME RENTAL means the transient rental of an entire dwelling unit for less than 30 days.

SECTION 2. REGULATIONS:

1. VACATION HOME RENTALS are permitted in the following City of Lostine Zones:

Rural Residential

Low Density Residential

Medium Density Residential

High Density Residential

VACATION HOME RENTALS may, with the written approval of DEQ be permitted in the Following City of Lostine Zones:

Commercial

Commercial/ Residential

1. License is required.
   1. Persons operating a vacation home rental shall obtain a Transient Room Tax License. Each owner shall maintain a registration book which identifies the occupants of the rental unit during the duration of stay and home address of the occupants. Such records shall be available to the City (or the City’s designee) during an audit of the vacation home rental in order to verify or validate the transient room tax collected and paid to the City.
   2. The payment of transient room taxes to both the State and the City are the responsibility of the property owner. Payments are due on the 15th of the month following the previous quarter, April 15, July 15, October 15, and January 15.
   3. Proof of residential home-owner insurance that specifically includes short term rental coverage for the subject property is required.

B. Use Restrictions – All Zones.

1. To prevent a change in the nature of the immediate neighborhood, Vacation Home Rental may not be located within 250 feet of any other Vacation Home Rental. For purposes of this Section, all distances shall be measured in lineal feet from the nearest property line to the nearest property line of the properties subject to this Ordinance.
2. Renters are not permitted to operate short-term rentals.
   1. Management companies and other business real estate entities are not permitted to operate short-term rentals in residential zones.
   2. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
   3. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up.  Parking areas shall not be located in the front yard.  If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement and proof of legal parking access. The number of days the unit is rented per quarter shall be reported on the TRT quarterly report.
   4. An emergency contact number shall be provided to the vacation rental occupier, to each of the surrounding property owners/residents and to the City. The emergency contact shall respond to the vacation home rental property within 30 minutes to address any emergency or complaint issue. Private homeowners are permitted to utilize the services of a management company to assist in the operation of the vacation home rental.
   5. Only 5% of the total residential units in the City may be permitted as transient rentals at any one time. The number of residential water accounts will provide the base for the calculation. For example, if the City has 500 residential water accounts, only 25 (5% of 500) transient room tax licenses will be issued for residential transient rental uses.
   6. No more than two transient room tax licenses may be issued to any one owner.
   7. Listing an unpermitted unit online is a violation of this ordinance.
   8. Each rental unit property must have a valid street address.
   9. Smoke detectors, carbon monoxide detectors, and fire extinguishers in the rental space are strongly encouraged.
   10. No short-term rental may engage in commercial-style food preparation or operation.

Failure to comply is subject to normal city code violation fine of up to $500 per day for each day the violation exists. Any hosted homeshare or vacation home rental including those advertised through internet rental accounts or services are subject to this ordinance. Internet rental accounts or services include, but are not limited to, providers such as “AirBnB,” “Vacasa,” and “Craigslist.” Copies of online advertisements for properties located inside the City limits of City of Lostine are presumed to constitute the operation of a homeshare or vacation home rental property.

SECTION 3: NOT PERMITTED WITHIN THE CITY OF LOSTINE:

1. In accordance with DEQ regulations no Homeshare rental or accessory units may not be used as a vacation home rental.
2. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, or tent or other temporary shelter.

SECTION 4: VIOLATIONS:

1. First violation will result in a warning and fine of no more than $500 and no less than $100.
2. Second violation will result in your permit being revoked for no less than 1 year.

BE IT ORDAINED that all Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Passed by the Council of the City of Lostine, Oregon on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022

Lee Allen \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Darci Calhoun \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Rick Boyd \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Mayor

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City Administrator