



MEMORANDUM
COMMUNITY DEVELOPMENT RESOURCE AGENCY
ADMINISTRATION DIVISION
County of Placer

TO: Honorable Board of Supervisors **DATE:** February 27, 2024
FROM: Crystal Jacobsen, Acting Community Development Resource Agency Director
BY: Emily Setzer, Principal Planner – Tahoe, Jasmyn Carr, Staff Services
Analyst - Tahoe
SUBJECT: Amendment to Article 9.42: Short Term Vacation Rentals Ordinance –
Supervisory District 5

ACTIONS REQUESTED

1. Introduce and waive oral reading of an ordinance to amend Placer County Code Chapter 9, Article 9.42.
2. Receive an update on the Short Term Rental Stakeholder Working Group.

BACKGROUND

Chapter 9, Article 9.42 of the Placer County Code, the Placer County Short Term Vacation Rental (STR) Ordinance, was first enacted by the Board of Supervisors (Board) in 2019 to address growing concerns about the impact of vacation rentals on local communities in eastern Placer County. The ordinance sought to balance the needs of residents with the economic importance of tourism and was crafted through extensive community input. Subsequent to adoption, Chapter 9, Article 9.42 was repealed and replaced as part of a comprehensive update on February 8, 2022. The STR ordinance applies to the Eastern Placer County Short-Term Rental Area, as described in Placer County Code Section 9.42.010.

The County launched the Short Term Rental Stakeholder Working Group (STR Working Group) in September of 2022. The STR Working Group consists of STR property owners, property managers, local residents and other stakeholders with an adaptive management mission to provide real time feedback on how the ordinance works in day-to-day practices, identify ongoing compliance and enforcement issues, share trends, and provide input to County staff on how the ordinance could be improved over time.

The proposed amendments are based on feedback from fire districts, code compliance staff, appeal hearing officers, county counsel, STR Working Group, and other County staff about potential technical “clean-up” ordinance revisions that would provide clarity, improve public safety, align with evolving case law, and enable the county to better enforce the existing ordinance. The amendments are intended to promote effective implementation of the STR ordinance, advance Board policy objectives and align with case law.

PROPOSED AMENDMENTS

Staff proposes the following revisions to the STR ordinance:

Condo-hotel definition

Some condo-hotel properties function primarily as lodging uses and are not residential in nature. The condo-hotel definition was revised to include the following specific criteria that expands the criteria of condo-hotel properties:

- Includes 24/7 front desk on-site in-person management
- Located in a zone district that was historically or currently zoned as a tourist/lodging zone district and/or the property was entitled as commercial lodging
- Includes installed smoke, CO2, and fire extinguishers that are checked monthly
- Managed by a professional management company responsible for safety inspections and emergency response

Maximum number of STRs on multifamily properties in town centers

This amendment would allow up to four (4) STRs per property in town centers based on your Board's support for shifting lodging to town centers.

Local contact person definition

This revision clarifies that a local contact's residence must be within 35 driving miles of the STR and the person must agree to be the local contact for all STR activity. The STR team has observed that many local contacts are physically too far away to get to the STR within the required 60 minutes and some local contacts are unaware of the role requiring them to remedy issues within specified timeframes. This revision will help ensure that the local contacts are closer to the property when needed.

Property definition

This amendment clarifies the definition of one "property" for STR purposes so it "may consist of multiple lots or parcels that were purchased or sold together." One "property" may also consist of multiple lots or parcels with a single address. This clarification is needed to provide clarity in situations where there has previously been confusion/ambiguity because many properties in Tahoe consist of multiple APNs.

STR Permit Cap Exemption

Staff propose removing the owner-occupied exemption from the STR permit cap due to recent case law regarding interstate commerce that limits local preference in STR programs.

Fire life safety and defensible space inspections

Staff propose changing the frequency of fire life safety and defensible space inspections to every three years for both privately and professionally managed STR properties. The current inspection schedule requires annual fire life safety inspections for privately managed properties and every three years for professionally managed properties, as well as annual defensible space inspections for all properties.

STR properties will have until November 30, 2024 to provide a passing defensible space inspection report. As proposed, condominium complexes will have to provide a passing defensible space inspection for the entire complex beginning March 31, 2027. It is challenging to track inspections at different cycles and fire districts have provided feedback that moving to every three years will reduce time and staffing constraints. The proposed change will create more equality in the inspection process and will simplify the administration and tracking of inspections.

Denial of a permit application

Staff proposes expanding the potential reasons for denying an STR permit to include input from the Chief Building Official or the environmental health authority if they declare the structure unsafe and/or uninhabitable, and to clarify if the STR permit application, advertisement, or fire life safety and defensible space inspection contains false and/or misleading statement or omission of material fact. Staff have witnessed false information on applications and false and/or misleading criteria in fire life safety and defensible space inspections. The proposed change will allow the County to deny and revoke permits if fire inspections and/or applications include false, misleading statements or omission of a material fact.

Renewal requirements

Staff proposes changing the requirement to submit a renewal application from 30 days prior to the permit expiration date, to the day before their expiration date. This provides more flexibility to STR permit holders and will help simplify administration of the ordinance by letting renewal applications be submitted prior to the expiration date of the STR permit, which allows for permit renewals to stagger over time.

Exterior posting

Staff added further detail to the exterior posting requirement of the STR stickers or magnets to clarify that the exterior postings are County-issued.

Minimum nights rented

Staff proposes removing the minimum number of nights rented for STR operators because staff is unable to enforce this requirement because TOT payments frequently lag behind the calendar year.

Snow Removal

Due to complaints about unmaintained snow removal at STR properties, staff proposes clarifying that snow removal needs to be conducted for STRs if snow accumulates more than six inches, rather than just during the December 1 – April 1 timeframe.

Grills and Barbeques

Flame-retardant mats for grills and barbeques have been added, per local fire district approval, to provide consistency with requirements from local fire districts and minimize fire risk.

Penalties

Staff revised the penalties section of the ordinance to clarify that three notices of violation (NOV) within a 24-month period will result in a citation. The current ordinance requires tracking NOVs by topic rather than quantity, which delays the ability for staff to enforce the intent of the ordinance.

Staff also modified the penalties subsections to clarify who county staff will notify, in what order, and the time to cure the violation.

Parking, trash, and occupancy penalties

Staff propose reducing the time to cure a continuing violation for parking, trash, and occupancy after receiving a first citation from one day to three hours, and after the second citation from 30 days to five hours. Staff have received community feedback that allowing parking, trash, and/or occupancy violations to continue for days is concerning. This revision will allow code enforcement officers to better enforce and seek compliance with parking, trash, and occupancy.

Noise violations

Staff have reduced the time to cure noise violations from one hour to 30 minutes before the issuance of the first citation because of complaints received from residents that allowing noise to continue for one hour is excessive and disruptive to neighborhood character. This will allow code enforcement officers to better enforce noise complaints.

Suspension of a permit

The STR permit will be suspended if the following cases occur: if the Chief Building Official or the environmental health authority declares the structure unsafe and/or uninhabitable, or if the STR permit application, advertisement, or fire life safety and defensible space inspection contains false and/or misleading statements or omissions of material facts. Additionally, the STR permit will be suspended if the property owner is delinquent on any payment due to the county related to the short-term rental. A property owner must cease renting while the STR permit is suspended.

Revocation of a permit

As proposed, a STR permit may be revoked if the property owner fails to cure a suspension within twelve months from the date the permit suspension is issued, or if a property owner has received three total citations within any 24-month period. If three citations have been issued in a 24-month period, but not upheld upon appeal, it would not count towards revocation.

Appeal requests

Due to confusion about the appeals process, staff propose amendments that clarify the process, including requiring a notice of appeal be submitted within 10 days of the date the notice is emailed. A courtesy copy will also be physically mailed to the mailing address on record. If no email is available, written notice of appeal shall be made within ten (10) calendar days of the date the certified mail was received. This refinement will allow staff to use the date of the outgoing email to determine the window for appeal.

Scheduling appeal hearings

Staff have extended the time window to schedule an appeal hearing from 30 days to 60 days from the date of receipt for appeal. The additional time window for hearings to be scheduled will allow more flexibility in scheduling with hearing officers, property owners and managers.

Hearings

This section has been modified to allow a hearing officer to dismiss a penalty based on a preponderance of evidence standard if there is testimony or evidence that a violation was the result of a willful action by a non-guest third-party. If a non-guest third party was responsible for the violation, the owner/agent will not be responsible for a penalty.

STRs prohibited in Accessory Dwelling Units (ADUs)

This amendment clarifies that as of April 1, 2025, accessory dwelling units may not be short-term rented, per Placer County Code Section 17.56.200. The STR ordinance is currently inconsistent with the County's existing Zoning Ordinance that prohibits short term renting of ADUs, which was intended to maintain ADUs as affordable by design housing. Staff chose the 2025 date to allow STR operators time to transition away from renting ADUs.

PROPOSED AREAS OF FUTURE ORDINANCE MODIFICATIONS – SUGGESTED BY STR WORKING GROUP

The STR Working Group has met six times (September 20, 2022, December 6, 2022, May 22, 2023, July 18, 2023, August 15, 2023, and November 29, 2023). At the July 18, 2023 meeting, the group reviewed and discussed the proposed changes, described above, and in most cases provided a majority input to bring these changes forward.

During the August 15, 2023 meeting, Working Group members reviewed and provided input on a number of larger policy topics that have been suggested by members of the community, STR operators and managers, as well as Working Group members. The STR Working Group is largely in favor of aligning community standards with policies of the STR program; however, these would require exploring changes to other areas of County code and increased resources.

These topics include:

- Aligning eastern Placer and/or Tahoe Basin community requirements with the STR ordinance requirements for consistency (such as implementing the STR-specific requirements for wildlife proof bear bins and 9:00 PM noise standards on a community-wide scale) resulting in changes to other County ordinances,
- Evaluating a geographical clustering provision that would prohibit new STRs to be permitted within a certain distance of an existing STR, in attempts to limit over-concentration of STRs within neighborhoods, similar to El Dorado County's ordinance,
- Considering reducing the cap of 3,900 permits to a quantity closer to the current number of permitted STRs to allow County and Fire staff to more efficiently manage the quantity of STRs, allow more houses to potentially serve as long-term housing, and encourage production of new hotel lodging, and
- Evaluating market impacts associated with implementing a one-year waiting period between purchase of a property and applying for an STR permit to discourage investment purchases.

STR WORKING GROUP UPDATE

At the November 29, 2023 STR Working Group meeting, staff described goals to restructure the Working Group in early 2024 per feedback from the Board. In coordination with county staff, Integrated Communications Strategies, LLC, the facilitators for the Working Group, created a charter and application. Formalizing the Working Group membership would enhance discussions, improve member contribution, and allow staff and group members to cover topics more efficiently. The charter outlines the objectives and operational guidelines of the group. The function of the charter is to:

- Define the purpose of the Working Group: The charter describes the objectives, responsibilities, and roles of the Working Group's activities, ensuring alignment with the STR program priorities and policies.
- Establish structure: The Working Group member roles and decision-making processes have been clearly defined.
- Improve coordination: The charter explains communication protocols, reporting mechanisms, and interaction channels between the Working Group, staff and stakeholders.

Honorable Board of Supervisors

February 27, 2024

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The feedback from the Working Group will support the broader objectives and policies of the STR program and delineate and clarify the process for bringing potential STR policy changes forward to the Board.

FISCAL IMPACT

The proposed change to require fire life safety inspections every three years for all STR permit holders will create more equality in the inspection process and simplify the administration and tracking of inspections. There is no impact to the General Fund.

ATTACHMENT

Attachment A - Ordinance amending Placer County Code Chapter 9, Article 9.42, Sections 9.42.010, 9.42.020, 9.42.040, 9.42.050, 9.42.070, 9.42.080, 9.42.090, 9.42.100, 9.42.110, and 9.42.150

Exhibit 1: County Code

ATTACHMENT A

Before the Board of Supervisors County of Placer, State of California

In the matter of:

An ordinance to amend Placer County Code,
Chapter 9, Article 9.42, Sections 9.42.010,
9.42.020, 9.42.040, 9.42.050, 9.42.070,
9.42.080, 9.42.090, 9.42.100, 9.42.110, and
9.42.150

Ordinance No.: _____

Introduced: _____

The following Ordinance was duly passed by the Board of Supervisors of the County
of Placer at a regular meeting held on _____ by the following vote:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, on November 19, 2019, the Board of Supervisors adopted an ordinance to amend Placer County Code, Chapter 9 to add Article 9.42, titled "Short Term Vacation Rentals" (STR Ordinance); and

WHEREAS, on March 30, 2021, the Board adopted minor amendments to Placer County Code, Chapter 9, Article 9.42, STR Ordinance, aimed at clarifying and refining areas of the STR Ordinance; and

WHEREAS, on July 27, 2021, after hearing concerns from the Tahoe community regarding the decline of workforce housing and the preservation of residential neighborhoods in the Tahoe region, the Board adopted Urgency Ordinance 6094-B establishing a 45-day moratorium on the issuance of new Short-Term Rental permits pursuant to Placer County Code Chapter 9, Article 9.42, STR Ordinance; and

WHEREAS, on August 31, 2021, the Board adopted Urgency Ordinance 6099-B extending until March 31, 2022, the moratorium imposed in Ordinance 6094-B related to the issuance of new Short-Term Rental permits pursuant to Placer County Code Chapter 9, Article 9.42, STR Ordinance, so that staff could study STR program best practices, analyze STR impacts on housing and hotel/motel industries, and so that staff could explore revisions to the STR Ordinance that would restrict STRs in the Tahoe region; and

WHEREAS, following the August 31, 2021 Board meeting, the County conducted the Eastern County Short-Term Rental Economic Study which researched academic literature and STR and hotel inventory, occupancy and pricing, and assessed the association between the prevalence of STRs in eastern Placer County and changes in the availability and affordability of long-term housing, as well as the impact of changes in STR supply on dedicated hotel and motel type uses; and

WHEREAS, on February 8, 2022 the Board adopted Ordinance 6124-B to repeal and replace the STR Ordinance, which was intended to provide a balance between STRs and available housing stock by restricting the number of STR permits issued annually in Eastern Placer County, and to further regulate nuisances associated with STRs and help preserve residential neighborhood character and integrity; and

WHEREAS, on May 9, 2023, the Board of Supervisors amended the STR ordinance to 1) extend the deadlines in Sections 9.42.050(B) and 9.42.150 to March 31, 2024, to allow the local fire districts additional time to complete remaining fire-life safety and defensible space inspections and to provide STR operators with more than one STR unit per property the time they need to adjust to the ordinance requirements, and 2) remove the requirement for STR operators to obtain a business license as listed in Sections 9.42.030, 9.42.050, and 9.42.100(D); and

WHEREAS, the proposed ordinance amendments are intended to strengthen the county code enforcement team's ability to enforce the ordinance and align with evolving case law; and

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, ORDAINS AS FOLLOWS:

SECTION 1. Placer County Code Chapter 9, Article 9.42, Sections 9.42.010, 9.42.020, 9.42.040, 9.42.050, 9.42.070, 9.42.080, 9.42.090, 9.42.100, 9.42.110, and 9.42.150 are amended with text to be removed shown in ~~strikeout~~ and bold underlined text to be added as shown in Exhibit 1.

SECTION 2. This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code section 25124.

Exhibit 1: County Code

Exhibit 1

9.42.010 Purpose and intent.

The Lake Tahoe Basin and surrounding areas in unincorporated eastern Placer County are known for their scenic beauty and recreational opportunities. These areas are world-renowned vacation destinations. While vacation rentals have been a staple in eastern Placer County for years, the recent surge in popularity of the short-term rental in this area have created compatibility issues in established residential areas **and have impacted housing availability for local workers**. These issues are endangering the health and safety of residents and guests and endangering the very environment and resources that attract visitors to the area. To ensure protection of the health and safety of residents and guests and to protect the environment, it is the purpose of this article to provide permit procedures and establish standards for short-term rentals in the unincorporated area of eastern Placer County legally described in subsection A of this section as the “Eastern Placer County Short-Term Rental Area.”

All requirements, regulations and standards imposed by this article are intended to apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in the Placer County Code, state and federal law, and by the Tahoe Regional Planning Agency. This article only applies to short-term rentals in the Eastern Placer County Short-Term Rental Area. Any unit permitted as a commercial lodging use (hotel, motel, condo-hotel [as defined herein], or timeshare) is not subject to this article.

A. The legal description of the “Eastern Placer County Short-Term Rental Area” is as follows:

Beginning at the southwest corner of Section 30, T14N, R16E, M.D.B.&M. being a point on the Placer-El Dorado County line, and running thence north along section lines to the northwest corner of Section 6, T15N, R16E, M.D.B.&M., being a point on the south line of Section 36, T16N, R15E; thence east along the south line of said Section 36 to the southeast corner thereof; thence north along section lines to the quarter-section corner on the east line of Section 25 of the last mentioned township and range; thence westerly along the east-west centerlines (the half section lines) of Sections 25, 26 and 27 of the last mentioned township and range 2-3/4 miles more or less to an intersection with a branch of the North Fork of the American River located in said Section 27; thence northwesterly and westerly along said branch and said river, 9-1/2 miles more or less to the north-south centerline of Section 20, Township 16 North, Range 14 East M.D.B.&M.; thence north along the north-south centerline of Sections 20, 17, 8, and 5 of said township and range and along the north-south centerline of Sections 32 and 29 Township 17 North Range 14 East, M.D.B.&M. to the north line of Placer County; thence easterly along the north line of Placer County to the northeast corner of said county, a point on the east line of the state of California; thence south along the east line of the state of California; and the east line of Placer County to the southeast corner of said county; thence west and south along the south line of Placer County to the point of beginning.

9.42.020 Definitions.

The following words, phrases and terms as used in this article shall have the following meanings:

“Agency” means the community development resource agency.

“Agency Director” means the community development resource agency director.

“Agent” means a professional property management company authorized under contract with the property owner to rent and manage the short-term rental.

“Condo-hotel” means a facility meeting the definition of a hotel or motel, rented to the general public for overnight or other temporary lodging, with ownership structured as a condominium, cooperative or other ownership/financing arrangement, but shall not include timeshares in or interval or fractional ownership of a hotel. The condo-hotel has 24/7 front desk on-site in-person management with access to all units who responds to complaints, enforces trash, noise, and parking rules, and ~~includes~~ **either:**

1. **Has** NFPA 13-R or 13 fire sprinkler systems and NFPA 72 centrally monitored fire alarm system connected to all individual units and is inspected annually, ~~or~~
2. **Was previously zoned and/or entitled as commercial lodging, has installed smoke and CO2 monitors and fire extinguishers per code that are checked monthly, is managed by a professional property management company responsible for safety equipment inspections and emergency response, and is subject to random audit performed by either Placer County staff or local fire department staff.**

“Guest” or “guests” means the individual or individual(s) renting the short-term rental for the purposes of staying overnight.

“Hearing officer” shall mean the person or persons appointed by the agency director to preside over an administrative hearing provided for in this section. The zoning administrator may also act as the hearing officer if so appointed.

“Homeowner’s primary residence” means a dwelling lived in by the owner for at least ten (10) months who claims homeowner exemption on their property taxes.

~~“Local contact person” means an individual who is personally available by telephone on a twenty-four (24) hour basis and who maintains the ability to be onsite within sixty (60) minutes and who has access and authority to assume management of the STR unit. An agent or professional property management company that meets the availability requirements can serve as the local contact person.~~

“Local contact person” means an individual who meets all of the following requirements:

1. **Personally available by telephone on a twenty-four (24)-hour basis.**
2. **Resides within thirty-five (35) driving miles of the STR unit.**
3. **Has access and authority to assume management of the STR unit.**
4. **Agrees to be the local contact for all short-term rental activity.**

An agent or professional property management company that meets all of these requirements can serve as the local contact person.

“Owner-occupied property with STR unit” means property that the owner(s) claims as their primary residence and which property includes a STR unit, either attached or detached. Primary residence is established by property tax records.

“Professional property management company” means a licensed firm charged with operating a real estate property for a fee.

“Property” means the legal lot(s) or parcel(s) that is the situs of a short-term rental. **For short-term rental purposes, one “property” may consist of multiple lots or parcels that were purchased or sold together. One “property” may also consist of multiple lots or parcels with a single address.** For single-family dwellings, “property” is defined as the lot(s) or parcel(s) upon which the dwelling is located. For a condominium, the “property” is identified as that condominium unit and the air space within it. **For mixed use or multifamily properties, the “property” is defined as the lot(s) or parcel(s) upon which the mixed use or multifamily property is located.**

“Property owner” means the owner of record of the real property on which the short-term rental exists.

“Short-term rental unit” or “STR unit” means any unit, or portion thereof, permitted for residential use and rented for occupancy, dwelling, lodging, or sleeping purposes for a period of not less than one night and not more than thirty (30) days. Commercial lodging use (hotel, motel, condo-hotel [as defined herein] or timeshare) is not included in this definition and not subject to this article.

“Transient occupancy tax certificate” or “TOT” means the certificate defined in Placer County Code Chapter 4, Article 4.16.

9.42.040 STR Permit cap.

A. Cap. Effective March 31, 2022 the total number of residential short-term rental unit permits issued shall be capped at three thousand nine hundred (3,900) (“overall cap inventory”). Hotels, motels, condo-hotels (as defined herein) and timeshares are not subject to this article and therefore not subject to this cap.

~~B. Exemption. Owner-occupied property (as defined herein) with a STR unit in good standing and a current TOT certificate is exempt from the cap but otherwise subject to all other provisions of this article.~~

~~B. C.~~ Administration of the Cap.

1. STR Permit Renewal. Provided a STR unit permit in good standing is renewed prior to the expiration date of the permit, that permit application will be processed and included in the cap. STR permit renewal applications will be given priority in processing. For the 2022 permit cycle, renewal applications will be due within ninety (90) days of March 31, 2022. If a property owner or agent fails to submit an application for renewal prior to the ninety (90) days, the application will be treated as a new permit and processed on a first come first serve basis. Beginning with the 2023 permit cycle, if a property owner or agent fails to submit an application for renewal prior to the expiration date of the permit, the application will be treated as a new permit and processed on a first come first serve basis. See subsection ~~(B)(C)~~(3) below for more information.

2. Previously Approved Exemptions. It is a violation to operate or advertise a STR unit for rental without a STR permit. In an effort to bring all residential STR inventory into compliance, there will be a one-time safe harbor period for STR units that were issued approved exemptions from the program prior to adoption of this article. The certificate holder must apply for a permit within ninety (90) days of March 31, 2022. These permits will be processed on a first come first serve basis. All such permits issued will be added into the cap. Failure to apply for a permit within this period of time shall result in any future application being treated as a new STR permit application, per subsection ~~(B)(C)~~3, and subject to the cap and waitlist provisions of this section.

3. New STR Permits. New STR permit applications, those that do not fall into subsection ~~(B)(C)~~1 or ~~(B)(C)~~2 above, and are received prior to reaching a total cap inventory, will be processed on a

first come first serve basis. At such point that the total cap inventory is reached, all outstanding permit applications, either in process or received, will be placed on a waitlist.

4. Change of Ownership. A change of ownership of property with a permitted STR unit shall result in the automatic termination of the STR permit. The new owner may apply for a new STR permit. See subsection ~~(B)~~(C)3 of this section for more information.

5. Revoked STR Permits. A property owner with a revoked permit may not seek a new permit for a period of two years from the date of revocation. The application will be treated as a new permit. When a STR permit is revoked, the overall cap inventory will be adjusted accordingly.

6. For purposes of this article, a STR permit in good standing shall mean a permit with no violations, no unpaid fines, taxes, or assessments, and no verified complaints.

~~C. D.~~ Wait List. The Agency will maintain a wait list for applications received or in process. The Agency will continually maintain the overall cap inventory as permits are not renewed or revoked and on a quarterly basis commencing on July 1, 2022 will open up the application process to those on the waitlist. Applications will be processed based on the date of receipt of the application, starting with the oldest date.

9.42.050 Short-term rental unit permit requirements.

It is unlawful for any person to advertise, maintain, operate or use a short-term rental in the Eastern Placer County Short-Term Rental Area without a short-term rental permit, or in violation of the terms and conditions of the permit. Short-term rental permits shall be renewed annually, and separate permits are required for each short-term rental. The permit requirements for short-term rentals are set forth below. The issuance of any permit pursuant to this article does not relieve the owner of the obligation to comply with the other provisions of the Placer County Code pertaining to the use and occupancy of the short-term rental or the property in which it is located.

A. Where Allowed. As to this article, short-term rentals are allowed in all zone districts that allow residential use, with approval of a short-term rental permit and a TOT certificate, in the Eastern Placer County Short-Term Rental Area as described in Section 9.42.010.

B. Application Process. An application for a short-term rental permit shall be submitted by the property owner or agent (written property owner authorization and contact information is required for an agent to file the application) to the community development resources agency. The application form is located on-line at: www.placer.ca.gov/6109/Short-Term-Rental-Program. For an application to be deemed complete, it must include the following:

1. Property owner or agent name and contact information.
2. The name **and physical address** of the local contact person, if different from the property owner or agent, and a telephone number at which that party may be immediately reached.
3. Address and assessor's parcel number for property for which the short-term vacation rental is located.
4. Rental unit type (i.e., single family [detached or halfplex], duplex, triplex, condo, apartment in a building with four or more units, as determined by county assessor records). Identify number of units located on the property. If more than one residential unit is located on the property, identify which rental unit is the STR.

5. Number of Bedrooms. For purposes of this section, a bedroom is a room that contains a minimum of seventy (70) square feet and that meets all requirements of the California Residential Code and contains a window or opening that can be used for emergency egress.

6. Total number of on-site parking spaces and description of parking locations, if applicable. If on-site parking is not available, an alternative parking plan must be provided designating the location of off-site parking, excluding street parking.

7. Proof of total number and type of trash receptacles (e.g. dumpster, bear box). Proof can be established by transmitting photos of installed trash receptacles consistent with Section 9.42.080(E).

8. An application for TOT certificate that must be completed within thirty (30) calendar days from the date of application.

9. Number and location of fire extinguishers, smoke and carbon monoxide alarms.

10. **Fire-life safety inspections are required every three years.** Beginning March 31, 2024, all short-term rentals shall provide a passing fire-life safety inspection upon permit application or renewal (~~conducted within the last two years required annually for privately managed STRs or every three years for professionally managed STRs~~). The approved fire-life safety inspection certifies compliance with Fire Code and fire safety requirements. If a fire-life safety inspection fails twice in a twelve (12)-month period, the short-term rental application shall be denied.

11. **Defensible space inspections are required every three years. All permitted short-term rentals shall provide a passing defensible space inspection by November 30, 2024.** Beginning March 31, 2024, all short-term rentals shall provide a passing defensible space inspection, conducted within preceding 12 months, upon permit application or renewal. **Thereafter, all short-term rentals shall provide a passing defensible space inspection (conducted within the last two years) upon permit application or renewal.** The approved defensible space inspection certifies compliance with Fire Code defensible space requirements **per local fire district** and is required annually. If a defensible space inspection is not submitted before next renewal date or within twelve (12) months, whichever is sooner, the permit shall not be renewed. **For condominium complexes, defensible space inspections may be conducted on a building-by-building basis or per entire complex per local fire district. Beginning March 31, 2027, condominium complexes shall pass defensible space inspections for the entire complex.** If a defensible space inspection fails twice in a twelve (12)-month period, the short-term rental application shall be denied.

12. Acknowledgment that the property owner or agent has read and understood the operational standards and prohibitions and restrictions in this article, and the county's noise, parking, garbage collection, and guest safety.

13. Photo proof of interior posting of Good Neighbor Flyer in unit.

14. If the information supplied by the property owner on the application for a short-term rental permit is not consistent with county records, an inspection may be required prior to or after the issuance of the short-term rental permit. An inspection fee shall be charged for the inspection.

C. Denial of STR Permit Application.

1. The county may deny a new permit or renewal application in any of the following circumstances:

- a. The short-term rental permit application is incomplete and the applicant application has failed to respond to Agency requests to complete for a period of thirty (30) days;
- b. The short-term rental permit application and/or fire-life safety or defensible space inspection contains a false or misleading statement or omission of a material fact;
- c. A short-term rental property owner has received three violations within any twenty-four (24) month period;
- d. The property owner or agent is delinquent on any payment to the county of any fees, penalties, taxes, or any other monies related to the short-term rental property, including, but not limited to, transient occupancy taxes and property taxes;
- e. Prior revocation or suspension of a short-term rental permit;
- f. The operation of a short-term rental is a threat to the public health, safety, or welfare, or where the chief building official or environmental health division has deemed the structure uninhabitable;
- g. A failed fire inspection, or a refusal to allow a fire inspection of the short-term rental;
- h. Absence/expiration of a TOT certificate;
- i. Any required application fee or renewal fee has not been paid; or
- j. A notice of non-compliance has been recorded on the property pursuant to Placer County Code Section 17.62.080(B).

2. Appeal. The applicant may appeal the denial of a permit pursuant to Section 9.42.110.

9.42.070 Term, scope and renewal of short-term rental permit.

A. Term and Scope of Short-Term Rental Permits. A short-term rental permit issued under this article shall expire three hundred sixty-four (364) days from date of permit issuance, unless revoked earlier. The permit authorizes the property owner to conduct only such services as is described in the permit and in accordance with the terms and conditions of this article. Beginning January 1, 2022, a STR permit application for an existing short-term rental permit must be submitted prior to the expiration date of the permit. Beginning in 2023, a STR permit application for an existing short-term rental permit must be submitted ~~at least thirty (30) days~~ prior to the expiration date of the permit. Upon timely submittal of renewal, the STR permit will remain effective until such time as the STR permit is renewed or denied. Failure to timely submit an application for a renewal of an existing short-term rental permit shall result in that permit being eliminated from the cap inventory and the owner or agent must apply for a new short-term rental permit.

9.42.080 Operational standards.

All short-term rentals are required to comply with the following standards and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of communities.

Failure to comply with the standard conditions of this section may result in fines and permit revocation as outlined in Section 9.42.100.

A. Responsibility of Property Owner to Prevent Nuisance Behavior and Maintain Neighborhood Peace and Quiet. The property owner and/or agent shall inform guest(s) that they are not to violate the standards of this article and shall be responsible to take any action necessary to ensure that guest(s) abide by the terms of this article and other applicable provisions of Placer County Code.

B. Local Contact Person. A local contact person shall be personally available by telephone on a twenty-four (24) hour basis, **who physically resides within thirty-five (35) driving miles of the STR unit**, and maintains the ability to be physically present at the short-term rental within sixty (60) minutes of contact by code compliance, the Placer County sheriff, or the guest(s), and has access and authority to assume management of the short-term rental in order to respond to and remedy calls or complaints. Calls or complaints about physical conditions or circumstances that constitute an immediate threat to the public health and safety shall obligate the local contact person to immediately contact the appropriate law enforcement, fire, or other authority. **The STR property owner shall have the local contact person's informed consent before listing the contact on their STR permit application.**

C. Parking. On-site parking for all vehicles, boats and trailer parking shall be provided for each short-term rental. If the property does not have on-site parking the property owner shall have a county-approved parking plan designating the location of off-site parking. **There shall be no parking on the roadway and on-site** Parking shall not encroach into the roadway. In addition, snow area parking must comply with all applicable Placer County Code sections, including Section 10.12.020 (Illegal Parking—Generally). All permitted parking locations and the quantity of vehicles that fit on said locations shall be clearly set forth in all rental agreements and in all online advertisements and listings per subsection F of this section.

D. Noise. All short-term rental guests are required to comply with the standards of Placer County Code Article 9.36 (Noise) and the community noise equivalent levels (CNEL) of the Tahoe Basin Area Plan with the following additions:

1. The daytime and nighttime noise limits shall be posted inside the vacation rental in a location readily visible to all guests.
2. Amplified sound, meaning sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means, shall not be used outside or be audible from the parcel line of any short-term rental at any time.
3. Quiet hours shall be imposed from nine p.m. to eight a.m. Pacific Standard Time. No sound from the STR shall be audible from the parcel line of any short-term vacation rental unit during this time.

E. Trash and Refuse.

1. With the exception of trash properly deposited in trash collection receptacles, accumulation of trash and debris outside of the short-term rental at any time is prohibited.
2. A minimum service level or equivalent of two trash containers per short-term rental per week must be maintained. If the agency director determines the minimum service level is insufficient to accommodate all trash generated by the short-term rental, the property owner and/or agent shall arrange for a higher level of service which will accommodate all trash generated by the short-term rental.

3. Each exterior trash collection receptacle shall be “animal proofed” and shall comply with Placer County Code Chapter 8, Article 8.16, Part I, Division II Recollection and Storage Practices. Each short-term rental shall provide a bear box enclosure or dumpster as defined and pursuant to the requirements of Placer County Code Chapter 8, Article 8.16, Part I, Division III Prevention of Bear Access to Garbage Can Enclosure. Bear bin enclosures or dumpsters must be large enough to securely contain the minimum trash service level or sized appropriately to securely accommodate all trash generated by the short-term rental. Failure to provide proof of bear-bin installation and maintenance of the same may result in denial of the permit issuance or renewal.

F. Posting Requirements.

1. Interior Postings. The Placer County Good Neighbor flyer shall be posted within the interior of the rental unit in a visible location by the front door and on the interior of each bedroom door, as well as in all online or printed advertisements and listings. The Good Neighbor Flyer shall contain the contact information for the local contact person and emergency information, and operational standards at a minimum pertaining to noise, parking, fire and life safety, occupancy limits, bears and trash, and pets.

2. Exterior Postings. Each short-term rental shall post the **county-issued exterior posting STR permit registration number of the unit as well as the Placer County STR Hotline phone number. For STRs with bear bins, the posting shall be** on the exterior of the ~~wildlife proof trash receptacle, if applicable,~~ **bear bin** visible from the street, ~~or in the front window or front door of each STR, visible from the front entrance.~~ **If a bear bin is not required, the posting shall be visible from the front entrance, either from the front window or front door of each STR. Exterior postings shall be cleared from snow to be visible in the winter.**

3. Requirements for Advertisements. All permitted short-term rentals shall include the following information in any online or printed advertisement:

- a. Valid Placer County Short-Term Rental Permit number;
- b. Maximum daytime and nighttime occupancy;
- c. All permitted parking locations and the quantity of vehicles that fit on said locations;
- d. Link to Good Neighbor Flyer.

G. Visible Address. Each short-term rental shall have an address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short-term rental unit will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street. Address identification characters shall contrast with their background and conform to the minimum size requirements of Placer County Code Section 15.04.260. A short-term rental in a condominium building that does not have an individual address may utilize the condominium building address and need not comply with these requirements.

H. Smoke Alarms. Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short-term rental, including basements and habitable attics.

I. Carbon Monoxide Alarms. Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.

J. Fire Extinguisher. Each short-term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short-term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.

K. Emergency Communications. Each short-term rental unit shall contain at least one working landline phone or Voice Over Internet Protocol.

L. Fire Inspections. Except as provided in Section 9.42.150, short-term rentals shall allow fire district staff or other fire district-approved designees to conduct a life-safety inspection prior to permit application for all STR permits, ~~once every year for privately owned STRs or once every three years if the rental is managed by a professional property management company~~, or upon request by the fire district or county. The fire inspection is to ensure the rental complies with sections relating to occupancy based off the number of bedrooms (9.42.050(B)(5)), smoke alarms (9.42.080(H)), carbon monoxide alarms (9.42.080(I)), fire extinguishers (9.42.080(J)), visible address (9.42.080(G)), emergency communications (9.42.080(K)), outdoor fireplaces, grills and barbecues (9.42.090(C)). Additionally, the short-term rental shall pass ~~annual~~ defensible space inspections every three years to meet all local and state code requirements. The inspections, including re-inspections, due to noncompliance and inspections prompted by complaints and/or violations, are subject to the applicable fire district fee schedule cost for inspections. Records of such issues shall be provided by the fire district to the code compliance services division for inclusion in its administrative citation process and referred to the county for enforcement. Failure to allow an inspection to occur may result in revocation of the short-term rental permit pursuant to Section 9.42.100(D). See also Section 9.42.090(C) for prohibitions and restrictions for fire restrictions.

M. Active Building or Environmental Health Permits or Violations. Short-term rentals shall not be rented during construction, remodeling, additions, ~~or an active building permits~~, building violations, or other applicable environmental health permit or violation (such as septic or sewer), unless the building or environmental health permit for the same has been approved by final inspection or county issued occupancy certificate, or approval by the county's building and/or environmental health official, and upon an affirmative showing by the agent that the safety and welfare of occupants can be maintained. If the work creates an uninhabitable area by lack of sanitation, cooking, sleeping, or heating, the chief building official and/or environmental health official shall deem the structure uninhabitable and the structure shall not be rented as a short-term rental until authorized by the county's building or environmental health division for such use or occupancy.

N. Maximum Occupancy Amount. Nighttime occupancy is defined as two people per bedroom, plus two additional people, up to a maximum of twelve (12) guests, excluding children under twelve (12) years of age. Nighttime occupancy limits begin at nine p.m. Daytime occupancy is defined as one and a half times the maximum number of occupants allowed to stay overnight at the unit, excluding children under twelve (12). Occupancy limits may be increased on a case-by-case basis, at the discretion of the agency director or if a permit has been issued by the county pursuant to Placer County Code Section 17.56.300(B) and shall not exceed occupancy design limits set by the California Building Code in effect at the time. Daytime and nighttime occupancy standards shall be included in all advertisements and listings per Section 9.42.080(F).

O. The property owner shall be responsible for maintaining the property at all times in compliance with the county's Hazardous Vegetation and Combustible Material Abatement Ordinance pursuant to County Code Chapter 9, Article 9.32, Part 4.

~~P. Minimum Number of Days and Nights for Rent or Lease. Short-term rentals shall be rented a minimum of thirty (30) nights per year. The STR permit will not be renewed if the property did not meet the minimum number of nights rented. Properties with an active building permit per Section 9.42.080(M) that prohibits the minimum use of STR shall not be disqualified from permit renewal if the number of nights is reduced due to the activity authorized by the building permit.~~

P. Q. Snow Removal. Snow removal services, provided by either the owner, manager, or a professional service, shall be included for any STR booked between December 1 and April 1. **Snow removal shall be conducted outside of those dates if snow accumulation is more than six inches.**

9.42.090 Prohibitions and restrictions.

A. Prohibited and Restricted Structures.

1. Affordability and Deed Restrictions. A structure or property with a recorded county covenant, deed restriction or agreement restricting its use, including, but not limited to, affordable or achievable dwelling units or deed-restricted secondary dwelling units, shall not be used for short-term rentals, except for those deed restricted to allow a maximum duration of short-term rental use under the Workforce Housing Preservation Program. Short-term rentals are not allowed in structures not intended for residential occupancy under the California Building Code Standards and county code.

2. Types of Units. Short-term rental of tiny homes or mobile or manufactured home units is prohibited. **Beginning April 1, 2025, accessory dwelling units may not be short-term rented, pursuant to Placer County Code Section 17.56.200.**

3. Maximum STR Units per Property. One STR unit per property is permitted, including single-family and multi-family properties. **Up to four (4) STRs per property are permitted in town centers.**

B. Incidental Camping. A short-term rental permit does not authorize incidental camping, which means any overnight camping, sleeping in tents or on decks attached to the short-term rental unit, or sleeping in travel trailers or recreational vehicles parked on the short-term rental property.

C. Fire Restrictions.

1. Grills and Barbeques. Grills and barbeques are not permitted beneath a potentially flammable source including trees, umbrellas, decks, or other appurtenant structures, and shall be no less than ten (10) feet away from a structure or as far as can be accommodated and any flammable materials, **and/or protected by flame-retardant mats as allowed per local fire department.** Charcoal grills of any type are strictly prohibited. Guests shall not bring personal grills and barbeques to the short-term rental; only those provided with the short-term rental are permitted to be used as installed.

2. Outdoor Fireplaces. No open wood burning pits, bonfires, or campfires are permitted to occur at short-term rentals. Natural gas/propane burning fireplaces and fire pits with twenty (20) pound tanks or smaller are acceptable outside provided the device is at least ten (10) feet from a

structure and any flammable materials and is existing at the short-term rental. Guests shall not bring personal fireplaces or firepits to the short-term rental.

3. Red Flag Days. When a National Weather Service Red Flag Warning is in effect for the geographical area where the short-term rental is located, all sources of outdoor open flame (including gas/propane/pellet bbqs) are prohibited.

D. Pets. Pets shall be secured within the boundaries of the STR parcel at all times. If the STR parcel is not fenced, pets must be kept on a leash and accompanied by the owner at all times while outside. Failure to comply with the county's leash and dog barking requirements (See Placer County Code Chapter 6, Article 6.08, Sections 6.08.010 and 6.08.020) could result in penalties under that article.

E. Subletting. Guests are prohibited from subletting a short-term rental. Only property owners and/or agents with a valid short-term rental permit and TOT certificate are allowed to advertise and rent a residential unit as a short-term rental.

F. Special Events. Weddings, corporate events, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities, unless a permit has been issued by the county pursuant to Placer County Code Section 17.56.300(B).

G. Fireworks. No person shall use, discharge or possess any fireworks, as defined in Sections 12505 or 12529 of the State Health and Safety Code, unless issued a permit pursuant to County Code Chapter 9, Article 9.33.

9.42.100 Penalties.

Any person including guests, property managers, local contact person, agent, and/or property owner who violates the provisions of this article may be subject to administrative and/or judicial remedies as set forth herein. **A short-term rental that receives a total of three notices of violation within any twenty-four (24) month period shall result in the issuance of a citation to the property owner for an administrative penalty of one thousand five hundred dollars (\$1,500.00) regardless of whether the violations were cured within the specified timeframe.**

A. Operating or Advertising a Short-Term Rental Unit Without a Permit. It is a violation to operate or advertise a short-term rental without a permit. **The county shall notify the property owner and/or agent of the same and the property owner shall cease short-term renting until a short-term rental permit has been issued.** Failure to apply **cease renting, advertising and complete an application for a permit** for the same within thirty (30) days of written notice from the county shall result in an administrative penalty of one thousand five hundred dollars (\$1,500.00) ("first administrative penalty"). Failure to ~~comply~~ **cease renting, advertising and apply for a permit** within thirty (30) days of issuance of the first administrative penalty shall result in a second administrative penalty of three thousand dollars (\$3,000.00) ("second administrative penalty"). Failure to ~~comply~~ **cease renting, advertising and apply for a permit** within thirty (30) days of issuance of the second administrative penalty shall result in a third administrative penalty of five thousand dollars (\$5,000.00) ("third administrative penalty"). The penalty amounts are cumulative. If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations and/or advertising of the unpermitted STR unit.

B. Operating or Advertising a Short-Term Rental Unit in Violation of Section 9.42.090, Prohibitions and Restrictions, subsections A and E. Operating or advertising a STR unit in violation of Section 9.42.090, subsections A and E is prohibited. The county shall notify the property owner and/or the local contact or agent of the same and ~~require the use of the unit as an STR be discontinued within thirty (30) days of notice.~~ Additionally, the county shall issue an administrative penalty of one thousand five hundred dollars (\$1,500.00) (“first administrative penalty”) to the property owner. Failure to comply within thirty (30) days of issuance of the first administrative penalty shall result in a second administrative penalty of three thousand dollars (\$3,000.00) (“second administrative penalty”). Failure to comply within thirty (30) days of the second administrative penalty shall result in a third administrative penalty of five thousand dollars (\$5,000.00) ~~and a hearing for revocation of the permit.~~ The penalty amounts are cumulative. If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations.

C. Operating a Short-Term Rental Unit in Violation of Section 9.42.090, Prohibitions and Restrictions, subsections B, C, D, F, and G. Operating a STR unit in violation of Section 9.42.090, subsections B, C, D, F, or G is prohibited. The county shall notify the property owner and the local contact or agent of the same. Additionally, the county shall issue an administrative penalty of one thousand five hundred dollars (\$1,500.00) (“first administrative penalty”) to the property owner. Failure to comply within one hour of issuance of the first administrative penalty shall result in a second administrative penalty of three thousand dollars (\$3,000.00) (“second administrative penalty”). Failure to comply within one hour of the second administrative penalty shall result in a third administrative penalty of five thousand dollars (\$5,000.00). The penalty amounts are cumulative. If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations.

~~D. C.~~ Operational Standards Violations. It is a violation of this section ~~article~~ for any guest, property owner, local contact or agent to fail to comply with the operations standards set forth in Section 9.42.080 of this article.

1. General Operational Standard Violations. With the exception of Section 9.42.080 subsections C, D, E, and N, the county shall notice the property owner and/ the local contact or agent for violations of operational standards and require compliance within thirty (30) days. Failure to comply within thirty (30) days shall result in the issuance of a citation for a first administrative penalty of one thousand five hundred dollars (\$1,500.00). Failure to comply within thirty (30) days of issuance of first administrative penalty shall result in a second citation for an administrative penalty of three thousand dollars (\$3,000.00). Failure to comply within thirty (30) days of the second administrative penalty shall result in a third citation for an administrative penalty of five thousand dollars (\$5,000.00) ~~and a hearing for revocation of the permit.~~ **If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations.**

2. Parking, Trash, and Occupancy Violations. ~~The county is authorized to notice both the guest and the property owner separately~~ **F**or violations of Section 9.42.080 subsections C, E, and N, ~~t~~ **The code official** county shall **first attempt to** notify the local contact person and guests of the violation and the requirement to cure the same within one hour. **If the code official cannot speak with the local contact person, the code official shall attempt to notify the property owner. The one-hour cure period begins from the time the code official either speaks with the local contact person or notifies the property owner, whichever occurs first.** Failure to cure the violation(s) within one hour after

notification shall result in the issuance of a citation for a first administrative penalty of one thousand five hundred dollars (\$1,500.00) (“first administrative penalty”). If the violation continues, for ~~one day~~ **three hours** after the first administrative citation, the county is authorized to cite a second administrative penalty of three thousand dollars (\$3,000.00) (“second administrative penalty”). Failure to comply within ~~thirty (30) days~~ **five hours** of the second administrative penalty shall result in a third citation for an administrative penalty of five thousand dollars (\$5,000.00) ~~and a hearing for revocation of the permit~~. The penalty amounts are cumulative. ~~A property owner and/or guest(s) staying on the property who together receive a total of three notices of violation within a ninety (90) day period shall result in the issuance of a citation for an administrative penalty of one thousand five hundred dollars (\$1,500.00) regardless of whether the violations were cured within one hour after notification. A citation issued for three notices of violation within a ninety (90) day period will count towards subsection (D)(4) of this section.~~ **If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations.**

3. Noise Violations. ~~The county is authorized to notice both the guest(s) and the property owner separately. For violations of Section 9.42.080(D), the~~ **code official** ~~county shall~~ **first attempt to notify the local contact person and guests of the noise violation and the requirement to cure the same within one hour** **thirty (30) minutes.** **If the code official cannot speak with the local contact person, the code official shall attempt to notify the property owner.** **The thirty (30) minute cure period begins from the time the code official either speaks with the local contact person or notifies the property owner, whichever occurs first.** Failure to cure the violation(s) within ~~one hour~~ **thirty (30) minutes** after notification shall result in the issuance of a citation for a first administrative penalty of one thousand five hundred dollars (\$1,500.00) ~~of each guest and/or property owner~~. If the violation continues for one additional hour **after the first administrative citation**, the county is authorized to issue a second administrative penalty of three thousand dollars (\$3,000.00) ~~for each guest and/or property owner~~. If the violation is not cured within ~~three~~ **two** hours after **the second administrative citation** notification, the county is authorized to issue a third administrative penalty of five thousand dollars (\$5,000.00) ~~of each guest and/or property owner~~. The penalty amounts are cumulative. ~~A property owner and/or guest(s) staying on the property who together receive a total of three notices of violation within a ninety (90) day period shall result in the issuance of a citation for an administrative penalty of one thousand five hundred dollars (\$1,500.00) regardless of whether the violations were cured within one hour after notification. A citation issued for three notices of violation within a ninety (90) day period will count towards subsection (D)(4) of this section.~~ **If the property owner fails to comply after the imposition of the third administrative penalty, the county may initiate nuisance abatement and/or seek judicial remedies to prohibit continued operations.**

E. Suspension of a Short-Term Rental Permit. The county may suspend a short-term rental permit for any of the following reasons:

- 1. The short-term rental permit application, advertisement, and/or fire-life safety or defensible space inspection contains a false or misleading statement or omission of a material fact;**
- 2. The property owner or agent fails to comply with violations and payment of penalties pursuant to subsection D of this section;**
- 3. The property owner or agent is delinquent on any payment to the county of any fees, penalties, taxes, assessments, or any other monies related to the short-term rental property, including, but not limited to, transient occupancy taxes;**
- 4. The operation of a short-term rental is a threat to the public health, safety, or welfare, or where the chief building official or environmental health official has deemed the structure uninhabitable;**
- 5. A failed or incomplete fire-life safety or defensible space inspection;**
- 6. Absence/expiration of a TOT certificate.**

The property owner and/or agent shall cease renting while the permit is suspended. The suspension shall be cured within twelve (12) months from the date the permit suspension is issued.

F. D- Revocation of a Short-Term Rental Permit. The county may revoke a short-term rental permit for any of the following reasons:

1. **The property owner and/or agent fails to cure a suspension pursuant to subsection E of this section within twelve (12) months from the date the permit suspension is issued.** The short-term rental permit application contains a false or misleading statement or omission of a material fact;

2. ~~—The property owner or agent fails to comply with violations and payment of penalties pursuant to subsection C of this section;~~

~~2. 3.~~ A short-term rental property owner and/or guest(s) staying on the property have together **has** received a total of three citations within any twenty-four (24) month period **(a citation issued but not upheld upon appeal, would not count towards revocation).**;

4. ~~—The property owner or agent is delinquent on any payment to the county of any fees, penalties, taxes, assessments, or any other monies related to the short-term rental property, including, but not limited to, transient occupancy taxes;~~

5. ~~—Prior revocation of a short-term rental permit;~~

6. ~~—The operation of a short-term rental is a threat to the public health, safety, or welfare, or where the chief building official has deemed the structure uninhabitable;~~

7. ~~—A failed fire inspection, or a refusal to allow a fire inspection of the short-term rental;~~

8. ~~—Absence/expiration of a TOT certificate.~~

G. E- Other Remedies.

1. Nuisance Abatement. It shall be a nuisance to operate a STR unit in violation of this article. The county may initiate nuisance abatement proceedings pursuant to Placer County Code Chapter 17, Article 17.62, Section 17.62.160. The county may initiate nuisance abatement proceedings in addition to the citation and administrative penalty process outlined herein.

2. Civil Penalties. The county may seek civil penalties in addition to the administrative penalties identified in this article pursuant to Placer County Code Chapter 1, Article 1.24, Section 1.24.010(C) to enforce this article. The county may seek judicial remedies for failure to pay said administrative penalties within thirty (30) days of the date of the violation.

3. Remedies Cumulative. The remedies, procedures and penalties provided by this section are cumulative as to each other and to any others available under state law or other county ordinances. In the event of any conflict between the penalties set forth in this article and any penalties set forth in state law, the maximum penalties allowable under state law shall govern.

H. F- Costs of Enforcement. All money and assets collected in payment of penalties for violations of this article and all money and assets collected for recovery of costs of enforcement of this article shall be used to offset the cost of enforcement of this article.

9.42.110 Appeals.

A. Appeal. A ~~guest~~, property manager, local contact person, agent, or property owner of the short-term rental may appeal a penalty, ~~or~~ decision on a permit application issued denial or permit revocation pursuant to this article to a county hearing officer by filing a written notice of appeal to the code compliance services division within ten (10) calendar days of the ~~service of the notice of the penalty or decision~~ date the notice is emailed, which serves as the notice of the penalty or decision. A courtesy copy will also be sent by certified mail to the mailing address on file. If no email is available, written notice of appeal shall be made within ten (10) calendar days of the date the certified mail was received.

1. If an appeal is filed, the code compliance officer or designee shall schedule an appeal hearing with a county hearing officer selected on a rotating basis from a list of appointed hearing officers who are not current county employees. Such appeal hearing shall be heard within ~~thirty (30)~~ sixty (60) days from the date of receipt of the appeal.

2. Once the appeal hearing has been scheduled, written notification thereof shall be given to the ~~guest/property owner/agent~~ by ~~certified mail~~ email at least ten (10) calendar days prior to the hearing date. A courtesy copy will also be sent by certified mail to the mailing address on file.

3. At the hearing, the ~~guest/property owner/agent~~ shall have the right to testify, to be represented by counsel, to present witnesses on the ~~guest/property owner/agent's~~ behalf, to cross-examine all other witnesses and to present oral and written documents and evidence on the issues. If the property owner/agent presents testimony or evidence that the violation was the result of a willful action by a non-guest third-party, the hearing officer may dismiss the penalty based on a preponderance of evidence standard.

4. Within thirty (30) days of the conclusion of the hearing, the hearing officer shall render a written decision which shall be served on the ~~guest/property owner/agent~~ by certified mail. The hearing officer's decision shall be the final level of administrative action of the county.

5. Any party aggrieved by the final decision of the hearing officer may obtain judicial review of the administrative decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

9.42.150 Application of article.

With the exception of Section 9.42.090(A)(3) and ~~Section 9.42.080(L)~~, all provisions of this article shall apply to applications for new and renewed STR permits.

As to Section 9.42.090(A)(3), STR permit holders who have more than one STR unit per property and for which a STR permit was issued in the past by the county and which permits and properties have no violations of this article or county code, may request an amnesty period from March 10, 2022 until March 31, 2024, during which to reduce the number of STR units to comply with this article. Amnesty may be granted by the agency director if there are no outstanding violations or administrative penalties, the STR permits are still valid, and fees, taxes, assessments, and TOT payments have been paid in full as

of December 2021. The agency director may deny a request for amnesty if any of these findings cannot be made and such a decision is appealable.

~~As to Section 9.42.080(L), beginning March 31, 2024, all short-term rentals shall provide a passing defensible space inspection, conducted within preceding twelve (12) months, and a fire-life safety inspection upon permit application.~~