

MANZANITA ORDINANCE 10-3 CHANGE SUBMITTAL FORM

2020 SHORT TERM RENTAL OVERSIGHT PROJECT

NOTE: Provide below, if possible, wording that you, or the organization that you represent, believe should be considered by the short-term rental ordinance oversight workgroup for recommendation to the City Council. All proposals will be included in the final report to the City Council, whether recommended or not. If you would like assistance in preparing your comments, or would like to discuss your proposal, please contact City Councilor Steve Nuttall, snuttall@ci.manzanita.or.us.

PROPONENT: Lee Hiltenbrand, representing Self; Manzanita Ordinance 10-3, Revise as follows:

PROPOSED CHANGE:

Section I. Definitions

b) The following words and phrases, as used herein, shall have the following meanings:

Dwelling Unit. Means one or more rooms occupied, designed or intended for occupancy as separate living quarters, and containing four (4) or more of the following:

- ~~Refrigeration~~
- Cooking facility (including cooking stove, hot plate, range hood, microwave, or similar appliance) or wiring or venting to support same.
- ~~Dishwashing machine~~
- Sink intended for meal preparation (not including a wet bar)
- ~~Garbage disposal~~
- Toilet
- Shower or bathtub
- **Cooking appliance**
- **Toilet**
- **Shower or bathtub**
- **Kitchen sink**

REASONING: Current language in 10-03 would allow for any four of the mentioned appliances or fixtures as meeting requirements of occupancy in a residence. This would allow a legal residential unit to exist without a kitchen sink, toilet or bathing facility. The language is contrary to all model building codes as well as common sense.

IMPACT: (TO BE COMPLETED BY STAFF)

The following suggestions are from Lee and follow his review during the November meeting. The page above represents a sample submittal form using one of the comments by Lee as an example.

Prepared by Lee Hiltenbrand

11/19/19

Areas of concern and considered changes to Manzanita Ordinance # 10-03.

Section 1. Definitions.

Dwelling Unit. Current language in 10-03 would allow for any four of the mentioned appliances or fixtures as meeting requirements of occupancy in a residence. This would allow a legal residential unit to exist without a kitchen sink, toilet or bathing facility. The language is contrary to all model building codes as well as common sense.

Proposed Change: Omit refrigeration, dishwasher and garbage disposal and require instead: cooking appliance, toilet, shower or bathtub and kitchen sink.

Section 2. License Required.

Current language is not clear re "cessation of use". Does this mean one week, one month or other.

Proposed Change: A short term rental license shall be surrendered immediately to The City upon sale of the property or cessation of use (a period of nine months) as a short term rental.

Section 3. Short Term Rental License Requirements.

d. Initial Inspection.

Implying that the STR has to conform to the Oregon Residential Specialty Code (ORSC) is onerous and beyond reasonable. The reference to correcting identified deficiencies fails to provide a standard of compliance.

Proposed Change: The purpose of this health and safety inspection will be to determine conformance of the dwelling unit with this ordinance and

all other standards required by the City. Applicants must correct any identified deficiencies and make corrections consistent with the provisions of the ORSC prior to issuance of a short term rental license.

Section 4. Standards.

b. Identification Sign.

Current standards allow for no street identification of STR's. There are multiple reasons to have legal STR's identified by the public: awareness of licensing, conformance to City regulations, neighborhood monitoring, community livability.

Proposed Change: Signage identifying the residence as an STR including the name of the rental agency or responsible individual, along with a phone number shall be posted on the STR and visible from the street.

Remainder of subsection unchanged.

d. Local Contact Person.

The reference to being available by phone on a 24 hour basis is redundant.

Proposed Change: Revise the sentence referencing availability to read: The local contact person must be available to accept and immediately respond to telephone calls on a 24 hour basis at all times.

Omit the sentence: At all other times, the local contact person shall respond within 24 hours.

Remainder of subsection d. unchanged.

f. Emergency Information.

The word equipment is misleading unless a specific list of equipment is mandated in the ordinance.

Proposed Change: Either remove the word equipment or develop a minimum list of emergency equipment that must be provided by the owner of the STR. A list might include items such as: go bags complete with supplies of water, food, flashlight. Any list will require time by the committee to discuss and recommend specific items, supplies and materials that should be included.

Section 5. License Renewals and Reinspections.

b. Periodic Reinspection.

Add health and safety to the second sentence of the subsection to be consistent with language currently used in subsections c. and d.

Reference to the STR conforming to standards in the ORSC is much too demanding. Omit the ORSC reference and replace with the requirements of this ordinance.

The second sentence would then read: The purpose of this health and safety inspection will be to determine the conformance of the dwelling unit with the requirements of this ordinance which may be directly related to potential safety issues, and with all other standards required by the City.