



Paradise Valley **Proposed Code Changes** January 27, 2022

Proposed Code Changes

Intended to:

- Further Define and Regulate Special Events
- Minimize Nuisance Behaviors
- Regulate Short-Term Rentals, as Explicitly Authorized by A.R.S. § 9-500.39
- Protect the Public's Health and Safety

Special Events

New & Expanded Definitions:

- Minor Events
 - Added: Owner or non-transient occupant must be on site for the duration of the event to constitute a Minor Event
- Nonresidential Use
- Owners
- Special Events
 - Added: certain nuisance-level noises, right-of-way uses, and uses inconsistent with the Town's Zoning Ordinance constitute events requiring a Special Event permit

Improved Record Keeping:

- Special Event permits to denote deviations or variances from Town Code

Nuisance Behaviors

Nuisance Noises

Except where a **Special Event permit** or Town Code provides otherwise, it's a violation to make noises from 10 p.m. - 7 a.m. (10-6 in Summer) that are:

- Above the Vibration Perception Threshold of 2+ reasonable people in separate residences or an officer across a real property boundary; **or**
- Plainly audible from within two or more enclosed residences or the cabin of a police vehicle situated on a public right-of-way.

Certain noises above specific dB(A) levels during certain hours are presumed to be plainly audible.

Nuisance Behaviors

Nuisance Noises

Prima Facie Violations:

- Prohibited noises disturbing 2+ adjacent properties, or 3+ nearby properties, is a violation.

Complaints and Enforcement:

- Police authorized to enforce nuisance noise provisions regardless of whether complaints are citizen-reported or reported by police or other designated Town employees

Nuisance Behaviors

Unruly Gatherings

Added:

- Excessive Noise definition
- Appeals process for Police Service Fees
- Aggravating factors that automatically increase mandatory fines to the next higher fine

Public Nuisances:

- Incidents involving Consistent Premises or Persons deemed public nuisances, which the Town may abate

Short-Term Rentals

Public Health & Safety Regulations

Town will require and make publicly available all of the following:

- Owner's name/contact information.
- STR's physical address & phone number.
- Local contact's & emergency contact's name/address/contact information.

Booking Information – to be shared with the Town:

- STR's online advertisement/listing
- Booking dates
- Compliance with operating standards, healthy & safety requirements

Failure to Register with Town or County Assessor:

- \$150 per day fee for renting or accepting a fee for booking an unregistered STR.

Short-Term Rentals

Prohibitions

Prohibited uses expanded to included:

- Adult-oriented businesses, performances, parties, or activities in which consideration is given in exchange for an adult-oriented service
- Urination or defecation, nudity, or sexual acts, where they may reasonably be viewed by the public or from a nearby property
- Renting to sex offenders
 - Owner must perform a background check on all guests within 24 hours of every booking
- Using motor homes, campers, trailers, boats, buses, and similar equipment for sleeping or habitation purposes.

Short-Term Rentals

Public Health & Safety Regulations

Owners/Designees must:

- Appear in person within 1 hour where complaints involve an officer on site
- Meet guests in person on arrival, present copy of rules and regulations, and keep records of compliance.
- Store trash and refuse out of public view
- Post certain notices in plain view at the STR on the STR's online listing

Short-Term Rentals

Public Health & Safety Regulations

Health, safety, and sanitation standards regarding:

- Liability insurance
- Smoke and CO detection and notification system.
- Fire extinguisher
- Fire Safety and Emergency Evacuation Map
- Air Filters
- Local phone service
- Cleaning between bookings following CDC guidelines
- Pest Control

Short-Term Rentals

Enhanced Penalties

- Penalties are cumulative
- Civil Sanctions for violating Town STR Code provisions:
 - 1st offense – \$500
 - 2nd offense w/in 12 months – \$1,000
 - 3rd + offense w/in 12 months – \$1,500
- Class 1 Misdemeanor

Miscellaneous

- Staff to prepare a report regarding the implementation and effectiveness of these changes and present the report to Council for review on or after January 27, 2023

Questions?