




Code Updates to Address Nuisances, Unruly Gatherings, Non-compliant STRs, and Public Safety



Chapter 1: General

Article 1-9: Penalty

Code's General Penalties Provision

- Clarified that the Code's general penalties provision is secondary to specifically prescribed penalties

Chapter 8: Safety, Health, Sanitation, and Nuisance

Article 8-8: Special Events on
Private Property and Public
Rights-of-Way

Nonresidential Use

- Uses not permitted in a residentially zoned area
- Uses that constitute an unruly gathering

Special Event, Expanded to Include

- Events that require on-street parking (many exceptions)
 - Legal holidays
 - Guest parking passes
 - Temporary un/loading; emergencies
- Plainly Audible and Amplified Noise
- Weddings and Other Large Gatherings

Chapter 8: Safety, Health, Sanitation, and Nuisance

Article 8-10: Nuisance Noise

Plainly Audible Noise and Vibration

- Includes objective and subjective detection methods to increase enforceability
 - Objective
 - Audible @ 100 feet from property line
 - Vibrations felt just across the property line
 - Subjective
 - Specified noise limits in Art.10-7, Control of Excessive Noise
- Police may detect and enforce without first receiving a complaint

Chapter 10: Offenses

Article 10-13: Unruly Gatherings

Unruly Gatherings

- Defined “Excessive Noise” and “Plainly Audible Noise,” in accordance with Art. 8-10
- Deemed unruly gatherings as public nuisances, providing abatement measures
- Aggravating factors: mandatory fines automatically increased to the next higher fine level if felonious conduct found at an Unruly Gathering

Police Service Fee Appeal Procedure

- Appeal within 10 days
- Town Manager designates civilian hearing officer
- Police must provide evidence supporting Police Service Fee
- Hearing officer’s decision is final

Chapter 10: Offenses

Article 10-14: Short-Term
Rentals Responsible Party
Requirements and Other
Violations

Added Purpose

- Protect public safety
- Mitigate harmful abuses common to STRs
- Refrain from infringing on property owners' rights
- Decrease threats to safety of citizens and law enforcement
- Evaluate public safety need and allocate resources accordingly

Added Definitions Section

- To clarify terms related to short-term rentals

Chapter 10: Offenses

Article 10-14: Short-Term Rentals Responsible Party Requirements and Other Violations

STR Rental Registration Required

- In addition to info required, must inform Town of any changes 10 days prior to change
- Owners Must Consent to Hosting Platforms Sharing Data with the Town
- Owner must certify compliance with the Code, including registration with the County
- Owner must accept responsibility for activities at the STR

Fines for Failing to Register

- Owner and hosting platform subject to \$500/day fines for not registering or booking in violation of Town Code

Owner Must Provide Info for Every Booking

- Copy of the STR's ad or listing used to book the property
- Dates of upcoming stay
- Evidence of compliance with section 10-14-4(C) health and safety requirements.

Chapter 10: Offenses

Article 10-14: Short-Term Rentals Responsible Party Requirements and Other Violations

Added Specific Prohibitions

- Online lodging marketplaces and online lodging operators may not receive payment or accept a fee, directly or indirectly, for facilitating rental of STRs operating in violation of Town Code or any other laws
- STR may not be used or advertised to accommodate occupancies exceeding the five unrelated adults
- Filing false claims against STR owners or guests punishable under Code's general penalties provision

Affirmative Acts by Owners Required

- Must affirmatively respond to complaints, not just receive them
- In-person responses required and due within one hour when police on property
- Owner "meet and greet" with guests during check-in
- Owner must prominently display notice outlining requirements, restrictions, contact information, and occupancy

Chapter 10: Offenses

Article 10-14: Short-Term Rentals Responsible Party Requirements and Other Violations

Public Health and Safety

- Trash/waste must be out of public view
- Liability insurance required
- Smoke/CO detectors, fire extinguishers, and local phone service required
- Air filters must be changed periodically
- Cleaning required between stays

Online Ad Must Include Certain Statements

- Owner's in-person check-in required
- Occupancy limit
- Notice that violating Town Code may carry a civil infraction with a mandatory \$500 minimum

Chapter 10: Offenses

Article 10-14: Short-Term
Rentals Responsible Party
Requirements and Other
Violations

Enhanced Penalties

- Remedies cumulative
- Escalating penalties for violating Code
 - 1st offense: \$500
 - 2nd within 12 months: \$1,000
 - 3rd/subsequent within 12 months: \$1,500
- Added Class 1 misdemeanor

Policy Changes

Mapping Short-Term Rental

- Leverage data from Maricopa County, STR registrations, and crowd-sourced leads to build a comprehensive tool to locate STRs

Questions?