

Obtaining a Five Year Transient Rental Permit

City of Cannon Beach
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- ***Who should read this handout?***

If you have been selected for a five-year transient rental business permit, you should read this handout.

- ***What is a transient occupancy of a dwelling unit?***

A transient occupancy of a dwelling unit is the rental of a house, or part of a house, for periods of less than 14 days in the RVL, R-1, R-2, R-3, MP and RAM zones.

- ***What is a five-year transient rental permit?***

A five-year transient rental permit is an authorization to rent a house, or portion of a house, for periods of less than 14 days, subject to certain conditions. The permit is renewable annually for a period of five years from the date the permit is originally issued. At the end of the five-year period, a new transient rental permit holder will be selected.

- ***What is the purpose of this handout?***

This handout is intended for use by those who have been selected to apply for a five-year transient rental permit. It is organized into three sections. Section I highlights the ordinance requirements so that you can determine if you qualify for a transient rental permit. Section II provides information to help you fill out the appropriate application forms to obtain the necessary permit. Section III contains the five-year transient rental permit application and other required forms.

- ***When is the deadline to apply for a five-year transient rental permit?***

You have 180 days to obtain a five-year transient rental permit. The City will issue a transient rental permit after a completed application has been processed. Failure to obtain a permit within 180 days will result in the selection of another property owner to apply for a five-year transient rental permit.

- ***What happens after I submit my application to the City?***

The City will review your application to make sure it is complete and that the operation of the dwelling as a transient rental will comply with the City's requirements. When the City has verified that your application meets all the requirements for the transient rental of a dwelling, the City will issue a transient rental permit. The initial permit is valid for one fiscal year beginning July 1 through June 30.

- ***How long does it take to get a transient rental permit?***

Transient rental permits may take from 30-90 days to process depending on the completeness of the application and whether a vacation home rental permit had previously been issued for the dwelling.

- ***Do I also need a business license?***

Yes, a business license must be obtained to operate a transient rental. The cost of a business license is \$75. If you already have a business license in conjunction with the operation of a vacation home rental, you will need to obtain a new business license to operate a transient rental. No fee will be charged for the new business license.

- ***What happens after I am issued a five-year transient rental permit?***

A five-year transient rental permit must be renewed annually. The City will notify you of this requirement. Permits are valid from July 1 to June 30 of the following year (fiscal year). A permit renewal must be received by the City by July 1. If the permit renewal has not been received by August 1, the City will begin action to have the permit revoked. Permit holders must also renew their City business license. Business licenses are issued on July 1 of a given fiscal year.

- ***What options do I have for renting my home for periods of less than 30 days at the end of the five-year permit period?***

You can apply for a vacation home rental permit. A vacation home rental permit is an authorization to rent a dwelling to one tenancy group in a 14-day period. You can also place your name on the roster for a new five-year transient rental permit. However, you would not be considered for a new permit in the next lottery following the end of your previous five-year permit period.

Section I – Ordinance Requirements

Ordinance 04-09A has several requirements that must be met to qualify for a five-year transient rental permit. All requirements must be met without exception. A description of the requirements follows:

Local Representative: The property owner shall designate a local representative who permanently resides within the Cannon Beach urban growth boundary or a licensed property management company with a physically staffed office within 10 vehicular miles of the Cannon Beach urban growth boundary. The owner may be the designated representative where the owner resides within the Cannon Beach urban growth boundary.

The property owner or the designated local representative shall maintain a guest and vehicle register for each tenancy of the transient rental. The register shall include the names, home addresses and phone numbers of the tenants, the vehicle license plate numbers of all vehicles used by the tenants, and the date of the rental period. The above information must be available for City inspection upon request.

The local representative must be authorized by the owner of the dwelling to respond to tenant and neighborhood questions, concerns and complaints. The local representative must respond in a timely manner to ensure that the use of the dwelling complies with the standards for transient rental occupancy as well as other pertinent City ordinance requirements pertaining to noise, disturbances, or nuisances, and State law pertaining to the consumption of alcohol, or the use of illegal drugs.

The City will notify property owners and/or residents within 200 feet of the transient rental dwelling of the name, address, and telephone number of the local representative.

The designated local representative may be changed by the permit holder by filing a revised permit application that includes the name, address, and telephone number of the new local representative. Failure to notify the City of a change in the local representative constitutes a violation.

Occupancy: The maximum occupancy for a transient rental dwelling shall be two persons per bedroom and two additional persons (e.g., a two-bedroom dwelling is permitted a maximum occupancy of six persons). For the purpose of establishing occupancy, a person is defined as an individual at least two years of age. The maximum occupancy may be further limited by off-street parking requirements. Occupancy of a dwelling shall not exceed twelve persons.

Parking: One off-street parking space shall be provided for each three persons of dwelling occupancy. No more vehicles shall be parked on the property than there are designated off-street parking spaces. Inability to provide the required off-street parking will reduce the permitted occupancy. A site plan shall be submitted with an application for a transient rental permit which identifies the location of the required off-street parking. Please see attachment “A” for a sample of an acceptable off-street parking site plan.

Solid Waste Collection: Weekly solid waste collection shall be provided during all months that the dwelling is available for transient occupancy.

Permit Posting: The transient rental permit shall be posted within the dwelling adjacent to the front door and contain the following information: (1) the name and telephone number of the local representative; (2) the name and telephone number of the owner; (3) contact information for City Hall and the Police Department in Cannon Beach; (4) the maximum number of occupants permitted to stay in the dwelling; (5) the maximum number of vehicles allowed to be parked on the property; (6) the number and location of on-site parking spaces; and (7) the solid waste collection day. Please see attachment “E” for an example of a permit for posting that will be mailed to you once the application processing is complete.

Transient Room Tax: The property owner must agree to comply with the requirements of the transient room tax ordinance. A 6% room tax is collected from those who rent a transient rental dwelling by adding it to the basic rental amount. It is the responsibility of transient rental permit holder to keep an

accurate record of the rent and taxes collected. A quarterly room tax report will be mailed to transient rental permit holders and must be filed with the City whether or not the house has been rented during that quarter. Please see attachment “B” for a sample quarterly transient room tax form.

Building Inspection: The dwelling unit must be inspected to determine whether it meets the Uniform Housing Code and establish its maximum occupancy. Uniform Housing Code requirements cover such items as smoke alarms, adequate escape routes in case of fire, properly operating heating equipment and adequate hot water. Prior to the issuance of a transient rental permit, the owner of the dwelling unit shall make all necessary alterations to the dwelling required by the Building Official pursuant to the Uniform Housing Code. Please see the attached transient rental permit dwelling checklist (attachment “C”) for the basic requirements that a dwelling must meet.

If the dwelling has already been inspected by the City as a vacation home rental, a re-inspection may not be required.

Ownership: A transient rental permit is issued to a specific owner of a dwelling unit. No person shall hold more than one transient rental permit. The transient rental permit shall be revoked when the permit holder sells or transfers the real property which was rented except a change in ownership where title is held in survivorship, or transfers on the owner’s death to a trust which benefits only a spouse for the spouse’s lifetime.

The above is a summary of the ordinance requirements with regard to transient rental permits. For the complete text of Ordinance 04-09A, please contact City Hall at (503) 436-1581 or visit the City’s website at www.ci.cannon-beach.or.us.

Section II – Application Procedure

Selection Process: It is the City’s intention to maintain 92 transient rental permits. A transient rental permit is issued to a specific owner of a dwelling unit. No person shall hold more than one transient rental permit. When a transient rental permit is revoked, the City will accept a new application for a five-year transient rental permit as follows:

The City will maintain a roster of property owners who are interested in obtaining a five-year transient rental permit for their dwelling unit. A property owner may place his or her name on the roster at a time. When an opportunity for a new transient rental permit arises, the City will select a name from the roster by means of a random selection. The person so selected will have 180 days to obtain a transient rental permit. If the person so selected does not obtain a transient rental permit within 180 days, a new name will be selected from the roster by random selection.

The maximum period of time that a person may hold a transient rental permit obtained by means of random selection is five years. At the end of the five-year period, a new a transient rental permit holder will be selected by means of random selection as described above. A person who held a five-year transient rental permit may not be considered for a new transient rental permit in the next lottery following the end of that permit’s five-year period.

Permit Application: Any person who is selected by means described above to engage in the rental of a dwelling for a transient occupancy shall make application to the City for a five-year revocable transient rental permit. The permit must be renewed annually. At the end of the five-year period, a new transient rental permit holder will be selected by means of random selection. A complete permit application and applicable fee must be obtained within 180 days from the date a person is selected. If a complete application and applicable fee have not been obtained within 180 days, a new name will be selected.

The City shall issue the permit where it finds the application requirements and the requirements of Section I of this handout are met.

Violations and Penalties: Failure to comply with the transient rental occupancy or transient room tax requirements shall constitute a violation of the provisions of this section. Disturbances or nuisances caused by the tenants of a transient rental dwelling which violate the City Municipal Code or State law shall also constitute a violation. Penalties for each violation shall be imposed. Penalties for violations become progressively more severe and may result in permit suspension or revocation.

Section III – Five- Year Transient Rental Permit Application Forms & Other Information

The following forms are attached to this handout and must be submitted to the City along with the application in order to obtain a five-year transient rental permit:

- ***Five-Year Transient Rental Permit Application***
- ***Transient Rental Local Representative Certification***
- ***Transient Room Tax Registration***
- ***Business License Application***

In addition to the above, please find the following list of attachments. Attachment “A” must be submitted with application.

Attachment “A” is an example of an acceptable ***Off-Street Parking Site Plan***. Please submit a site plan that identifies the transient rental dwelling and the location of the required off-street parking.

Attachment “B” is a sample of the ***Transient Room Tax Quarterly Collection*** form that will be mailed to transient rental permit holders for reporting room tax on a quarterly basis.

Attachment “C” is a ***Transient Rental Dwelling Inspection Checklist*** which lists the basic requirements that a dwelling must meet in order to obtain a permit. The checklist is included in this packet in order to help you to begin making the necessary modifications to your dwelling, if needed. Additional requirements to those on the checklist may apply.

Attachment “D” is a sample of a ***Weekly Solid Waste Collection Certification*** form that must be submitted to the City at the time that the application is made. Please contact Western Oregon Waste’s Residential customer accounts department at (503) 472-3176, option 1, for information on obtaining this form.

Attachment “E” is an example of a permit for positing in the dwelling. The permit will be mailed to you once the application processing is complete.

To download this information or the forms noted above (except that form obtained from Western Oregon Waste regarding solid waste collection) please visit the City’s website at www.ci.cannon-beach.or.us and click on *Short Term Rental Information & Permits*.