

# Obtaining a Vacation Home Rental Permit

City of Cannon Beach

March 2005



- ***Who should read this handout?***

If you own a home in Cannon Beach and wish to rent it for periods of less than 30 days, you should read this handout.

- ***What is a vacation home rental permit?***

A vacation home rental permit is an authorization to rent a house or portion of a house for periods of less than 30 days, subject to certain conditions. Any property owner may apply for a vacation home rental permit, however, no person shall hold more than one vacation home rental permit. A person who holds a transient rental permit is not permitted to hold a vacation home rental permit. The permit must be renewed annually. Upon issuance, the vacation home rental permit allows a property owner to rent the dwelling to one tenancy group in a two week period.

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

This handout is intended for those interested in obtaining a vacation home rental permit. It is organized into three sections. Section I highlights the ordinance requirements so that you can determine if you qualify for a vacation home rental permit. Section II provides information to help you fill out the appropriate application forms to obtain the necessary permit. Section III contains the vacation home rental permit application and other required forms.

- ***When is the deadline to apply for a vacation home rental permit?***

You may apply for a vacation home rental permit at any time. The City will issue vacation home rental permits for the period beginning July 1, 2005 through June 30, 2006. The permit is valid for one year, or the remainder of the fiscal year in which the permit is issued. Renewal of the permit requires a complete permit application no later than on July 1st for the fiscal year commencing with that date.

- ***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 vacation home rental will comply with the City's requirements. When the City has verified that your application meets all the requirements for the vacation home rental of a dwelling, the City will issue a vacation home rental permit. The permit is valid for one year beginning July 1, 2005 through June 30, 2006, or the remainder of the fiscal year in which the permit is issued. The permit must be posted in a prominent location adjacent to the front door of the dwelling.

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

Vacation home rental permits take a minimum of 30 days to process. Given this, please plan accordingly by submitting a complete application well in advance of the date that you wish to begin the vacation home rental of your dwelling. Beginning July 1, 2005, you may not rent your dwelling for periods of less than 30 days without a valid vacation home rental permit.

- ***What happens after I am issued a vacation home rental permit?***

A vacation home rental permit is valid for one year. You will need to apply for a renewal of the permit annually. The City will notify you of this requirement. A permit renewal must be received by the City no later than July 1 of the applicable fiscal year. Permit holders must also obtain a City business license.

## **Section I – Ordinance Requirements**

Ordinance 04-09A has several requirements that must be met to qualify for a vacation home 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 vacation home 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 vacation home 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 property owner must submit a new local representative form if there is a change in the local representative.

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

**Occupancy:** The maximum occupancy for a vacation home 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 vacation home 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 vacation home rental occupancy.

**Permit Posting:** The vacation home 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.

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 vacation home rental dwelling by adding it to the basic rental amount. It is the responsibility of vacation home rental permit holder to keep an accurate record of the rent and taxes collected. A quarterly room tax report will be mailed to vacation

home 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/Reinspection: The vacation home rental dwelling must be inspected to determine whether it meets the Uniform Housing Code and to 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 vacation home 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 vacation home rental permit dwelling checklist (attachment “C”) for the basic requirements that a dwelling must meet. An inspection fee of \$100 will be charged. (This is included in the application fee). A reinspection fee of \$37.50 may also be charged.

Beginning July 1, 2008, a reinspection of 20% of the dwellings that have vacation home rental permits will be conducted so that, over a five-year period, all dwellings that have a vacation home rental permit will have been reinspected. Failure to complete the necessary alterations within 30 days of the Building Inspector’s notification of required alterations may result in the revocation of the permit.

The above is a summary of the ordinance requirements with regard to vacation home 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](http://www.ci.cannon-beach.or.us).

## **Section II – Application Procedure**

General Information: A vacation home rental permit is issued to a specific owner of a dwelling unit. No person shall hold more than one vacation home rental permit. A person who holds a transient rental permit may not hold a vacation home rental permit. The vacation home rental permit shall be revoked when the permit holder sells or transfers the real property which was rented and the new owner shall apply for and receive a new vacation home rental permit before using the dwelling as a vacation home rental.

Permit Application: The requirement for a vacation home rental permit goes into effect on July 1, 2005. A property owner can apply for a vacation home rental permit at anytime. However, after June 30, 2005, it will be illegal to rent a dwelling for periods of less than thirty days without the vacation home rental permit. The permit is valid for one year, or the remainder of the fiscal year in which the permit is issued, and must be renewed annually.

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 vacation home 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 vacation home 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 – Vacation Home 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 fee in order to obtain a vacation home rental permit:

- ***Vacation Home Rental Permit Application***
- ***Vacation Home Rental Local Representative Certification***
- ***Vacation Home Room Tax Registration***

In addition to the above, a ***Weekly Solid Waste Collection Certification*** form 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) 434-5549, option 1, for information on obtaining this form. A sample of this certificate is included at the end of this packet.

A site plan which identifies the vacation home rental dwelling and the location of the required off-street parking spaces must also be submitted at the time that the application is made. Please see attachment "A" for an example of an acceptable ***Off-Street Parking Site Plan***.

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

Attachment "C" is a ***Vacation Home Rental Dwelling Inspection Checklist*** which lists the basic requirements that a dwelling must meet in order to obtain a permit. Additional requirements to those on the checklist may apply.

Attachment "D" is an ***Example Illustrating Vacation Home Rental Occupancy*** and is included in this packet to illustrate how to comply with the permit requirement that the dwelling can be rented to only one tenancy group in a two week period.

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](http://www.ci.cannon-beach.or.us).