

ORDINANCE NO. 572

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT TERM VACATION RENTALS

WHEREAS, Chapter 3.25 of the La Quinta Municipal Code relates to short-term vacation rentals; and

WHEREAS, the City has the authority to regulate businesses operating within the City; and

WHEREAS, the proposed amendments are necessary to clarify process and standards for short-term rentals relating to the number of bedrooms permitted under the City's short-term vacation rental program, among other related regulations, as more particularly set forth in this Ordinance.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. CHAPTER 3.25 shall be amended as written in "Exhibit A" attached hereto and incorporated herein by reference.

SECTION 2. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

SECTION 4. The City Council does hereby grant the City Clerk the ability to make minor amendments to "Exhibit A" to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would

have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this 17th day of July, 2018 by the following vote:

AYES: Council Members Fitzpatrick, Peña, Radi, Sanchez, Mayor Evans

NOES: None

ABSENT: None

ABSTAIN: None



LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:



MONIKA RADEVA, Acting City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:



WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

Chapter 3.25 SHORT-TERM VACATION RENTALS

3.25.010 Title

This chapter shall be referred to as the "Short-Term Vacation Rental Regulations."

3.25.020 Purpose

A. The purpose of this chapter is to establish regulations for the use of privately owned residential dwellings as short-term vacation rentals that ensure the collection and payment of transient occupancy taxes (TOT) as provided in Chapter 3.24 of this code, and minimize the negative secondary effects of such use on surrounding residential neighborhoods.

B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term vacation rental purposes as defined in this chapter.

3.25.030 Definitions

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Advertise," "advertisement," "advertising," "publish," and "publication" mean any and all means, whether verbal or written, through any media whatsoever whether in use prior to, at the time of, or after the enactment of the ordinance amending this chapter, used for conveying to any member or members of the public the ability or availability to rent a short-term vacation rental unit as defined in this section, or used for conveying to any member or members of the public a notice of an intention to rent a short-term vacation rental unit as defined in this section. For purposes of this definition, the following media are listed as examples, which are not and shall not be construed as exhaustive: Verbal or written announcements by proclamation or outcry, newspaper advertisement, magazine advertisement, handbill, written or printed notice, printed or poster display, billboard display, e-mail or other electronic/digital messaging platform, electronic commerce/commercial Internet Web sites, and any and all other electronic media, television, radio, satellite-based, or Internet Web site.

"Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term vacation rental.

"Applicant" means the owner of the short-term vacation rental unit.

"Authorized agent or representative" means a designated agent or representative who is appointed by the owner and also is responsible for compliance with this chapter with respect to the short-term vacation rental unit.

"City Manager" means that person acting in the capacity of the city manager

of the city of La Quinta or designee.

"Declaration of non-use" means the declaration described in Section 3.25.050

"Good neighbor brochure" means a document prepared by the city that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions of this code and other applicable laws, rules or regulations pertaining to the use and occupancy of short-term vacation rental units.

"Local contact person" means the person designated by the owner or the owner's authorized agent or representative who shall be available twenty-four hours per day, seven days per week with the ability to respond to the location within forty-five (45) minutes for the purpose of: (1) taking remedial action to resolve any such complaints and (2) responding to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit. A designated local contact person must obtain a business license otherwise required by Section 3.24.060 and Section 3.28.020 (or successor provisions, as may be amended from time to time) of this code.

"Notice of Permit Modification, Suspension or Revocation" means the notice the city may issue to an applicant, authorized agent or representative, local contact person, occupant, owner, responsible person, or any other person or entity authorized to be issued such notice under this code for a short-term vacation rental unit, upon a determination by the city of a violation of this chapter or other provisions of this code relating to authorized uses of property subject to this chapter.

"Occupant" means any person(s) within the dwelling unit during the rental period.

"Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term vacation rental,

"Property" means a residential legal lot of record on which a short-term vacation rental unit is located.

"Rent" has the same meaning as set forth in Section 3.24.020 (or successor provision, as may be amended from time to time) of this code.

"Responsible person" means the signatory of an agreement for the rental, use and occupancy of a short-term vacation rental unit, who shall be an occupant of that short-term vacation rental unit, who is at least twenty-one (21) years of age, and who is legally responsible for ensuring that all occupants of the short-term vacation rental unit and/or their guests comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.

"STVR" may be used by city officials as an abbreviation for "short-term vacation rental."

"Short-term vacation rental permit" means a permit that permits the use of a privately owned residential dwelling as a short-term vacation rental unit pursuant to the provisions of this chapter, and which incorporates by consolidation a transient occupancy permit and a business license otherwise required by Section 3.24.060 and Section 3.28.020 (or successor provisions, as may be amended from time to time) of this code.

"Short-term vacation rental unit" means a privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days

"Dwelling" has the same meaning as set forth in Section 9.280.030 (or successor provision, as may be amended from time to time) of this code; "dwelling" does not include any impermanent, transitory, or mobile means of temporary lodging, including but not limited to mobile homes, recreational vehicles (RVs), car trailers, and camping tents,

"Tenant" or "Transient," for purposes of this chapter, means any person who seeks to rent or who does rent a short-term vacation rental unit.

3.25.040 Authorized agent or representative

A. Except for the completion of an application for a short-term vacation rental permit and business license, the owner may designate an authorized agent or representative to ensure compliance with the requirements of this chapter with respect to the short-term vacation rental unit on his/her/their behalf. Nevertheless, the owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit, regardless of whether such noncompliance was committed by the owner's authorized agent or representative or the occupants of the owner's short-term vacation rental unit or their guests.

B. The owner must be the applicant for and holder of a short-term vacation rental permit and business license and shall not authorize an agent or a representative to apply for or hold a short-term vacation rental permit and business license on the owner's behalf. The owner's signature is required on all short-term vacation rental application forms, and the city may prescribe reasonable requirements to verify that an applicant or purported owner is the owner in fact.

3.25.050 Short-term vacation rental permit—required

A. The owner is required to obtain a short-term vacation rental permit and a business license from the city before the owner or the owner's authorized agent or representative may rent or advertise a short-term vacation rental unit. No short-term vacation rental use may occur in the city except in compliance with this chapter.

B. A short-term vacation rental permit and business license shall be

required to be renewed on an annual basis in order to remain valid. Failure to renew a short-term vacation rental permit within thirty (30) consecutive days of its expiration date will result in the short-term vacation rental permit being terminated. A new Owner of a short-term vacation rental unit that had been issued a short-term vacation rental permit to a former owner shall apply for a new short-term vacation rental permit if the new Owner wants to continue to use the residential dwelling as a short-term vacation rental unit. When an owner or an owner's authorized agent or representative converts non-bedroom spaces and areas in an existing residential dwelling into additional bedrooms, the owner shall apply for a new short-term vacation rental permit if the owner wants to continue to use any of the bedrooms in the residential dwelling as a short-term vacation rental unit.

C. A short-term vacation rental permit and business license shall be valid only for the number of bedrooms in a residential dwelling equal to the number of bedrooms the city establishes as eligible for listing as a short-term vacation rental unit and shall not exceed the number of bedrooms allowable for the number of occupants as set forth in Section 3.25.070. The allowable number of bedrooms shall meet all applicable requirements under federal, state and city codes, including but not limited to the provisions of Section 9.50.100 (or successor provision, as may be amended from time to time) governing "Additional Bedrooms" and all applicable building and construction codes in Title 8 of this code. A short-term vacation rental permit shall not issue for, or otherwise authorize the use of, additional bedrooms converted from non-bedroom spaces or areas in an existing residential dwelling except upon express city approval for the additional bedrooms in compliance with this code, including Section 9.50.100 (or successor provision, as may be amended from time to time), and upon approval of an application for a new or renewed short-term vacation rental permit as provided in subsection B.

D. A short-term vacation rental permit and business license shall not be issued or renewed if the property, or any building, structure, or use or land use on the property is in violation of this code. The city may conduct an inspection of the property prior to the issuance or renewal of a short-term vacation rental permit and/or business license. Code compliance inspections may be billed for full cost recovery at 1 hour for initial inspection and in 30 minute increments for each follow-up inspection. For purposes of this subsection, a code violation exists if, at the time of the submittal of an application for a new or renewed short-term vacation rental permit or business license, the city has commenced administrative proceedings by issuing written communication and/or official notice to the owner or owner's responsible agent or representative of one or more code violations. For purposes of this chapter, "building," "structure," and "use or land use" have the same meanings as set forth in Section 9.280.030 (or successor provisions, as may be amended from time to time) of this code.

E. A short-term vacation rental permit and business license shall not be issued or renewed if any portion of transient occupancy tax has not been reported and/or remitted to the city for the previous calendar year by the applicable deadline for the reporting and/or remittance of the transient occupancy tax.

F. A short-term vacation rental permit and business license shall not be issued or renewed if the residential dwelling to be used as a short-term rental unit

lacks adequate onsite parking. For purposes of this subsection, "adequate onsite parking" shall be determined by dividing the total number of occupants commensurate with the approved number of bedrooms as provided in the table under section 3.25.070 by four, such that the ratio of the total number of occupants to onsite parking spots does not exceed four to one (4:1). For example, a residential dwelling with five (5) bedrooms may permissibly host a total number of ten (10) occupants and therefore requires three (3) onsite parking spots. Pursuant to Section 3.25.070(K), no more than two (2) street parking spots may count towards the number of onsite parking spots necessary to meet the "adequate onsite parking" requirement.

G. An owner or owner's authorized agent or representative who claims not to be operating a short-term vacation rental unit or who has obtained a valid short-term vacation rental permit and business license pursuant to this chapter, may voluntarily opt-out of the requirements of this chapter, prior to the issuance or expiration of a short-term vacation rental permit and business license that are applicable to the short-term vacation rental unit, only upon the owner, the owner's authorized agent or representative and/or the owner's designated local contact person executing, under penalty of perjury, a declaration of non-use as a short-term vacation rental unit, in a form prescribed by the city (for purposes of this chapter, a "declaration of non-use"). Upon the receipt and filing by the city of a fully executed declaration of non-use, the owner or owner's authorized agent representative shall be released from complying with this chapter as long as the property is not used as a short-term vacation rental unit. Use of the property as a short-term vacation unit after the city's receipt and filing of a declaration of non-use, is a violation of this chapter. If, after a declaration of non-use has been received and filed by the city, the owner or owner's authorized agent or representative wants to use that property as a short-term vacation rental unit, the owner shall apply for a new short-term vacation rental permit and business license and fully comply with the requirements of this chapter and the code.

3.25.060 Short-term vacation rental permit—Application Requirements

A. The owner or the owner's authorized agent or representative must submit the information required on the city's short-term vacation rental permit application form provided by the city, which may include any or all of the following:

1. The name, address, and telephone number of the owner of the subject short-term vacation rental unit;
2. The name, address, and telephone number of the owner's authorized agent or representative, if any;
3. The name, address, and twenty-four hour telephone number of the local contact person;
4. The address of the proposed short-term vacation rental unit, Internet listing site and listing number;
5. The number of bedrooms shall not exceed the number of bedrooms allowable for the number of occupants as set forth in Section 3.25.070.

The allowable number of bedrooms shall meet all applicable building and construction requirements under federal, state and city codes, including but not limited to the provisions of Section 9.50.100 (or successor provision, as may be amended from time to time) governing "Additional Bedrooms" and all applicable building and construction codes in Title 8 of this code;

6. Acknowledgement of receipt of a short-term vacation rental information packet from the city, which includes a copy of the good neighbor brochure;

7. Certification from the owner or owner's authorized agent or representative that issuance of a short-term vacation rental permit pursuant to this chapter is not inconsistent with any recorded or unrecorded restrictive covenant, document, or other policy of a homeowner association or other person or entity which has governing authority over the property on which a short-term vacation rental unit will be operated; and

8. Such other information as the city manager or designee deems reasonably necessary to administer this chapter.

B. The short-term vacation rental permit application shall be accompanied by an application fee as set by resolution of the city council. A short-term vacation rental permit and business license shall not be issued or renewed while any check or other payment method cannot be processed for insufficient funds.

C. The City may determine the maximum number of bedrooms in a residential dwelling with multiple bedrooms eligible for use as a short-term vacation rental unit upon issuance of a short-term vacation rental permit. When determining the maximum number of bedrooms eligible for use as short-term vacation rentals, the City shall consider the public health, safety, and welfare, shall comply with building and residential codes, and may rely on public records relating to planned and approved living space within the residential dwellings, including but not limited to title insurance reports, official county records, and tax assessor records. Owners of residential dwellings that exceed 5,000 square feet of developed space on a lot may apply for additional bedrooms. An owner and/or owner's authorized agent or representative may not advertise availability for occupancy of a short-term vacation rental unit for more than six (6) bedrooms unless a short-term vacation rental permit allows advertising for more bedrooms after the City has determined the maximum number of bedrooms eligible for use as short-term vacation rental pursuant to this chapter.

D. A short-term vacation rental permit application may be denied if the applicant has failed to comply with application requirements in this chapter, or has had a prior short-term vacation rental permit for the same unit revoked within the past twelve calendar months. In addition, upon adoption of a resolution pursuant to section (H), the City may limit the number of short-term vacation rental units in a given geographic area based on a high concentration of short-term vacation rental units. The City shall maintain a waiting list of short-term vacation rental permit applications for such geographic areas where the City determines, based on

substantial evidence after a noticed public hearing and public hearing, there is a higher than average concentration of short-term vacation rental units that either affects the public health, safety, and welfare or significantly negatively impacts the character and standard of living in a neighborhood within that geographic area, or both.

E. Short-term vacation rental permit applications may take, and the City shall have, at least thirty (30) days to process but no more than forty-five (45) days. Nothing in this subsection or chapter shall be construed as requiring the City to issue or deny a short-term vacation rental permit in less than thirty (30) days, as no permit shall be issued until such time as application review is complete.

F. Within fourteen (14) days of a change of property ownership, change of owner's agent or representative, or any other change in material facts pertaining to the information contained in the vacation rental permit application, the owner or owner's authorized agent or representative shall submit an application and requisite application fee for a new short-term vacation rental permit, which must be obtained prior to continuing to rent the subject unit as a short-term vacation rental.

G. Transient occupancy registration permits issued for the operation of short-term vacation rental units prior to the effective date of the ordinance amending this chapter shall remain in effect until December 31, 2018. All short-term vacation rentals shall be registered annually thereafter in accordance with this chapter.

H. The city manager or authorized designee shall prepare, for adoption by resolution by the city council, a review procedure and criteria to evaluate the limitation for issuance of STVR permits and/or STVR applications for geographic areas within the city as set forth in subsection (D).

3.25.070 Operational requirements and standard conditions

A. The owner and/or owner's authorized agent or representative shall use reasonably prudent business practices to ensure that the short-term vacation rental unit is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.

B. The responsible person(s) shall be an occupant(s) of the short-term vacation rental unit for which he/she/they signed a rental agreement for such rental, use and occupancy. No non-permanent improvements to the property, such as tents, trailers, or other mobile units, may be used as short-term vacation rentals. The total number of occupants, including the responsible person(s), allowed to occupy any given short-term vacation rental unit may be within the ranges set forth in the table below. The city council may by resolution further restrict occupancy levels provided those restrictions are within the occupancy ranges set forth below.

Number of Bedrooms	Total of Overnight* Occupants	Total Daytime** Occupants (Including Number of Overnight Occupants)
0 – Studio	2	2 - 8
1	2 - 4	2 - 8
2	4 - 6	4 - 8
3	6 - 8	6 - 12
4	8 - 10	8 - 16
5	10 - 12	10 - 18
6	12 - 14	12 - 20
7	14	14 - 20
8	16	16 - 22
9	18	18 - 24

* Overnight (10:01 p.m. – 6:59 a.m.)

** Daytime (7:00 a.m. – 10:00 p.m.)

C. While a short-term vacation rental unit is rented, the owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall be available twenty-four hours per day, seven days per week, with the ability to respond to the location within forty-five (45) minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit or their guests.

D. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable or unlawful noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit.

E. Occupants of the short-term vacation rental shall comply with the standards and regulations for allowable noise at the property in accordance with Section 9.100.210 (or successor provision, as may be amended from time to time) of this code. No radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any short-term vacation rental unit between the hours of ten p.m. and seven a.m. (10:00 p.m. - 7:00 a.m.) Pacific Standard Time.

F. Prior to occupancy of a short-term vacation rental unit, the owner or the owner's authorized agent or representative shall:

1. Obtain the contact information of the responsible person;
2. Provide a copy of the good neighbor brochure to the responsible person; and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term vacation rental unit and their guests with all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term vacation rental unit. This information shall be maintained by the owner or the owner's authorized agent or representative for a period of three years and be made readily available upon request of any officer of the City responsible for the enforcement of any provision of this code or any other applicable law, rule or regulation pertaining to the use and occupancy of the short-term vacation rental unit.

G. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall, upon notification or attempted notification that the responsible person and/or any occupant and/or guest of the short-term vacation rental unit has created unreasonable or unlawful noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation unit, promptly respond within forty-five (45) minutes to immediately halt and prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, the owner's authorized agent or representative and/or the owner's designated local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term vacation rental within forty-five (45) minutes, shall be subject to all administrative, legal and equitable remedies available to the city.

H. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall report to the city manager, or designee, the name, violation, date, and time of disturbance of each person involved in three or more disorderly conduct activities, disturbances or other violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit.

I. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days. The owner, the owner's authorized agent or representative shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 6.04 (Solid Waste Collection and Disposal) (or successor provision, as may be amended from time to time) of this code.

J. Signs may be posted on the premises to advertise the availability of the short-term vacation rental unit as provided for in Chapter 9.160 (Signs) (or successor provision, as may be amended from time to time) of this code.

K. The owner, authorized agent or representative and/or the owner's designated local contact person shall post a copy of the short-term vacation rental permit and a copy of the good neighbor brochure in a conspicuous place within the short-term vacation rental unit, and a copy of the good neighbor brochure shall be provided to each occupant of the subject short-term vacation rental unit.

L. Unless otherwise provided in this chapter, the owner and/or the owner's authorized agent or representative shall comply with all provisions of Chapter 3.24 concerning transient occupancy taxes, including, but not limited to, submission of a monthly return in accordance with Section 3.24.080 (or successor provisions, as may be amended from time to time) of this code, which shall be filed monthly even if the short-term vacation rental unit was not rented during each such month.

M. Guesthouses, detached from the primary residential dwelling on the property, or the primary residential dwelling on the property, may be rented pursuant to this chapter as long as the guesthouse and the primary residential dwelling are rented to one party.

N. The owner and/or the owner's authorized agent or representative shall post the current short-term vacation rental permit number on or in any advertisement that promotes the availability or existence of a short-term vacation rental unit in. In the instance of audio-only advertising of the same, the short-term vacation rental permit number shall be read as part of the advertisement.

O. The owner and/or owner's authorized agent or representative shall operate a short-term vacation rental unit in compliance with any other permits or licenses that apply to the property, including but not limited to any permit or license needed to operate a special event pursuant to Section 9.60.170 (or successor provision, as may be amended from time to time) of this code. City may limit the number of special event permits issued per year on residential dwellings pursuant to Section 9.60.170 (or successor provision, as may be amended from time to time).

P. The city manager, or designee, shall have the authority to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential secondary effects unique to the subject short-term vacation rental unit are avoided or adequately mitigated, including but not limited to a mitigating condition that would require the installation of a noise monitoring device to keep time-stamped noise level data from the property that will be made available to the city upon city's reasonable request.

Q. The standard conditions set forth herein may be modified by the city manager, or designee, upon request of the owner or the owner's authorized agent or representative based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term vacation rental. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term vacation rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the

standard conditions shall not further exacerbate an already existing problem.

3.25.080 Recordkeeping duties

The owner or the owner's authorized agent or representative shall maintain for a period of three years, records in such form as the tax administrator (as defined in Chapter 3.24) may require to determine the amount of transient occupancy tax owed to the city. The tax administrator shall have the right to inspect such records at all reasonable times, which may be subject to the subpoena by the tax administrator pursuant to Section 3.24.140 (Records) (Transient Occupancy Tax) (or successor provisions, as may be amended from time to time) of this code.

3.25.090 Violations

A. Additional Conditions. A violation of any provision of this chapter or this code by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, shall authorize the city manager, or designee, to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential additional violations are avoided.

B. Permit Modification, Suspension and Revocation. A violation of any provision of this chapter, this code, California Vehicle Code, or any other applicable federal, state, or local laws or codes, including but not limited to applicable fire codes and the building and construction codes as set forth in Title 8 of this code, by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, shall constitute grounds for modification, suspension and/or revocation of the short-term vacation rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in Section 3.25.100.

C. Notice of Violation. The city may issue a notice of violation to any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, pursuant to Section 1.01.300 (or successor provisions, as may be amended from time to time) of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties.

D. Three Strikes Policy. Three violations of any provision of this chapter or this code within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling will result in an immediate suspension of the short-term vacation rental permit with subsequent ability to have a hearing before the City, pursuant to this chapter, to request a lifting of the suspension.

E. Administrative and Misdemeanor Citations. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, pursuant to Chapter 1.09 (Administrative Citation) (or successor provisions, as may be amended from time to time) of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties. Nothing in this section shall

preclude the city from also issuing an infraction citation upon the occurrence of the same offense on a separate day. An administrative citation may impose a fine for one or more violations of this chapter as follows:

1. General STVR violations (occupancy/noise/parking) –
 - First violation: \$500.00;
 - Second violation: \$1,000.00;
 - Third violation: \$1,500.00.
2. Operating a STVR without a valid short-term vacation rental permit –
 - First violation: \$1,000.00;
 - Second violation: \$1,500.00;
 - Third violation: \$2,000.00.
3. Hosting a special event at a STVR without a special event permit as required by Section 9.60.170 (or successor provision, as may be amended from time to time) of this code –
 - First violation: \$5,000;
 - Second violation: \$5,000.00.

F. Public Nuisance. In addition to any and all rights and remedies available to the city, it shall be a public nuisance for any person to commit, cause or maintain a violation of this chapter, which shall be subject to the provisions of Section 1.01.250 (Violations public nuisances) (or successor provisions, as may be amended from time to time) of this code.

3.25.100 Appeals

Any person aggrieved by any decision of a city officer made pursuant to this chapter may request a hearing before the city manager in accordance with Chapter 2.08 (or successor provisions, as may be amended from time to time) of this code.

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, MONIKA RADEVA, Acting City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 572 which was introduced at a regular meeting on the 3rd day of July, 2018, and was adopted at a regular meeting held on the 17th day of July, 2018, not being less than 5 days after the date of introduction thereof.

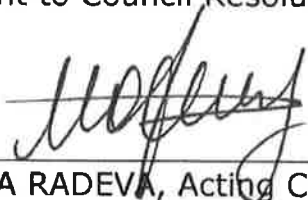
I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2015-023.



MONIKA RADEVA, Acting City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, Acting City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on July 19, 2018, pursuant to Council Resolution.



MONIKA RADEVA, Acting City Clerk
City of La Quinta, California