



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DPA 7-3-1-0

HB 2875: regulation; short-term rentals

Sponsor: Representative Kavanagh, LD 23
Caucus & COW

Overview

Adds to how a city, town or county may regulate a vacation or short-term rental.

History

The terms *vacation* and *short-term rentals* are defined in statute as any collectively or individually owned single or one-to-four-family house or dwelling unit that is also a transient public lodging establishment. Vacation and short-term rentals do not include a unit that is used for any nonresidential use, including banquet space, retail, restaurant, event center or another similar use.

Current statute prohibits a city, town or county from restricting the use of or regulating vacation or short-term rentals based on their classification, use or occupancy. A city, town or county is allowed to regulate vacation and short-term rentals for the following reasons:

- 1) Protecting the public's health and safety;
- 2) Adopting and enforcing residential use and zoning ordinances;
- 3) Limiting or prohibiting the use of a vacation or short-term rental for the purposes of housing sex offenders; and
- 4) Requiring the owner to provide the city, town or county with contact information for the owner or their designee (A.R.S. § [9-500.39](#), [11-269.17](#)).

Provisions

1. Stipulates that the required contact information for vacation rentals or short-term rentals must be printed in bold 24-point font and posted on the front door. (Sec. 1, 2)
2. Specifies that if the property is surrounded by a fence or other barrier, the contact information must be posted in a publicly visible and accessible location. (Sec. 1, 2)
3. Authorizes a city, town or county to impose a civil penalty of \$50 per day that the vacation or short-term rental is in violation of the posting of contact information. (Sec. 1, 2)
4. Allows a city, town or county to restrict the maximum number of adult occupants on the vacation or short-term rental property at any one time to the following:
 - a) Not more than two adults per bedroom, up to four bedrooms; and
 - b) Two additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space of the residence. (Sec. 1,2)
5. Provides that a city, town or county may require the installation of safety and noise monitoring equipment on the vacation or short-term rental property. (Sec. 1, 2)
6. Stipulates that the safety and noise monitoring equipment must be installed inside and in the outside yard or unenclosed balcony of all vacation and short-term rental properties. (Sec. 1,2)
7. Requires the equipment to have the capability of notifying the owner or their designee if the noise is in violation of the municipal or county noise ordinance or is unreasonable. (Sec. 1, 2)

8. States that the equipment is not required in an owner-occupied residential home or if the owner or their designee is on the property. (Sec. 1, 2)
9. Directs the owner or their designee to notify the occupant of a noise restriction violation and allows this notice to be made by telephone call or text message. (Sec. 1, 2)
10. Instructs the owner or their designee to notify the occupant of the noise violation in person if it continues for 30 minutes. (Sec. 1, 2)
11. Permits a city, town or county to impose the civil penalty prescribed in statute for a verified violation of the noise levels. (Sec. 1, 2)
12. Specifies that a city, town or county may prohibit smoking within 100 feet of a residential structure that is a vacation or short-term rental. (Sec. 1, 2)
13. Allows a city, town or county to restrict occupants from checking in without the owner or their designee present and requires the owner or their designee to meet the occupant before or at check in to review property rules and deliver keys or entry mechanisms in person. (Sec. 1, 2)
14. Authorizes a city, town or county to prohibit parking on public or private streets if on-property parking is available at a vacation or short-term rental. (Sec. 1, 2)
15. States that a city, town or county may impose a civil penalty of \$100 per day that the vacation or short-term rental is occupied for a verified violation related to parking. (Sec. 1, 2)
16. Prohibits a vacation or short-term rental from advertising to exceed the occupancy limit and allows a city, town or county to impose a civil penalty for a verified violation of \$50 per day for each day a violation occurred. (Sec. 1, 2)
17. Makes technical and conforming changes. (Sec. 1, 2)

Amendments

Committee on Government

1. Stipulates that the owner of a vacation or short-term rental must display their transaction privilege tax license in online advertisements.
2. Prescribes a civil penalty of \$50 per day that may be imposed by a city, town or county for a verified violation of the display of the transaction privilege tax license.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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