

REFERENCE TITLE: vacation rentals; short-term rentals; occupancy

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2429

Introduced by
Representative Bliss

AN ACT

AMENDING SECTIONS 9-500.39 AND 11-269.17, ARIZONA REVISED STATUTES;
RELATING TO VACATION RENTALS AND SHORT-TERM RENTALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-500.39, Arizona Revised Statutes, is amended
3 to read:

4 9-500.39. Regulation of vacation rentals and short-term
5 rentals; civil penalties; transaction privilege
6 tax license suspension; definitions

7 A. A city or town may not prohibit vacation rentals or short-term
8 rentals.

9 B. ~~A city or town may not restrict the use of or regulate vacation~~
10 ~~rentals or short-term rentals based on their classification, use or~~
11 ~~occupancy except as provided in this section.~~ A city or town may regulate
12 vacation rentals or short-term rentals as follows:

13 1. To protect the public's health and safety, including rules and
14 regulations related to fire and building codes, health and sanitation,
15 transportation or traffic control and solid or hazardous waste and
16 pollution control, if the city or town demonstrates that the rule or
17 regulation is for the primary purpose of protecting the public's health
18 and safety.

19 2. To adopt and enforce use and zoning ordinances, including
20 ordinances related to noise, protection of welfare, property maintenance
21 and other nuisance issues, ~~if the ordinance is applied in the same manner~~
22 ~~as other property classified under sections 42-12003 and 42-12004.~~

23 3. To limit or prohibit the use of a vacation rental or short-term
24 rental for the purposes of housing sex offenders, operating or maintaining
25 a sober living home, selling illegal drugs, liquor control or pornography,
26 obscenity, nude or topless dancing and other adult-oriented businesses.

27 4. To require the owner of a vacation rental or short-term rental
28 to provide the city or town with emergency contact information for the
29 owner or the owner's designee who is responsible for responding to
30 complaints or emergencies in a timely manner in person if required by
31 public safety personnel, over the phone or by email at any time of day
32 before offering for rent or renting the vacation rental or short-term
33 rental. In addition to any other penalty imposed pursuant to this
34 section, the city or town may impose a civil penalty of up to \$1,000
35 against the owner for every thirty days the owner fails to provide contact
36 information as prescribed by this paragraph. The city or town shall
37 provide thirty days' notice to the owner before imposing the initial civil
38 penalty.

39 5. To require the owner of a vacation rental or short-term rental
40 to obtain and maintain a local regulatory permit or license. As a
41 condition of issuance of a permit or license, the application for the
42 permit or license may require an applicant to provide only the following:

43 (a) The name, address, telephone number and email address for the
44 owner or owner's agent.

45 (b) The address of the vacation rental or short-term rental.

1 (c) Proof of compliance with section 42-5005.

2 (d) Contact information required pursuant to paragraph 4 of this
3 subsection.

4 (e) Acknowledgment of an agreement to comply with all applicable
5 laws, regulations and ordinances.

6 (f) A fee not to exceed the actual cost of issuing the permit or
7 license or \$250, whichever is less.

8 6. To require, before offering a vacation rental or short-term
9 rental for rent for the first time, the owner or the owner's designee of a
10 vacation rental or short-term rental to notify all single-family
11 residential properties adjacent to and directly and diagonally across the
12 street from the vacation rental or short-term rental. Notice shall be
13 deemed sufficient in a multifamily residential building if given to
14 residents on the same building floor. A city or town may require
15 additional notification pursuant to this paragraph if the contact
16 information previously provided changes. Notification provided in
17 compliance with this paragraph shall include the permit or license number
18 if required by the city or town, the address of the vacation rental or
19 short-term rental and the information required pursuant to paragraph 4 of
20 this subsection. The owner or the owner's designee shall demonstrate
21 compliance with this paragraph by providing the city or town with an
22 attestation of notification compliance that consists of the following
23 information:

24 (a) The permit or license number of the vacation rental or
25 short-term rental, if required by the city or town.

26 (b) The address of each property notified.

27 (c) A description of the manner in which the owner or owner's
28 designee chose to provide notification to each property subject to
29 notification.

30 (d) The name and contact information of the person attesting to
31 compliance with this paragraph.

32 7. To require the owner or owner's designee of a vacation rental or
33 short-term rental to display the local regulatory permit number or license
34 number, if any, on each advertisement for a vacation rental or short-term
35 rental that the owner or owner's designee maintains. A city or town that
36 does not require a local regulatory permit or license may require the
37 owner or owner's designee of a vacation rental or short-term rental to
38 display the transaction privilege tax license number required by section
39 42-5042 on each advertisement for a vacation rental or short-term rental
40 that the owner or owner's designee maintains.

41 8. To require the vacation rental or short-term rental to maintain
42 liability insurance appropriate to cover the vacation rental or short-term
43 rental in the aggregate of at least \$500,000 or to advertise and offer
44 each vacation rental or short-term rental through an online lodging
45 marketplace that provides equal or greater coverage.

1 9. To require the owner of a vacation rental or short-term rental
2 to reside on the property if the property contains an accessory dwelling
3 unit and if a certificate of occupancy, certificate of completion or
4 similar final approval for the accessory dwelling unit was issued by the
5 municipality on or after September 14, 2024. This paragraph does not
6 apply to an owner of a vacation rental or short-term rental if the
7 property contains an accessory dwelling unit and the certificate of
8 completion, the certificate of occupancy or a similar final approval for
9 the accessory dwelling unit was issued on or before September 13, 2024.

10 10. TO RESTRICT THE MAXIMUM NUMBER OF OCCUPANTS THAT ARE ALLOWED IN
11 A VACATION RENTAL OR SHORT-TERM RENTAL TO THE LESSER OF THE FOLLOWING:

12 (a) THE OCCUPANCY LIMIT THAT IS ESTABLISHED BY THE CITY OR TOWN.

13 (b) NOT MORE THAN TWO OCCUPANTS PER BEDROOM, UP TO FOUR BEDROOMS,
14 PLUS TWO ADDITIONAL ADULTS PER ONE THOUSAND SQUARE FEET OF LIVABLE SPACE
15 THAT IS IN EXCESS OF THREE THOUSAND SQUARE FEET OF LIVABLE SPACE OF THE
16 VACATION RENTAL OR SHORT-TERM RENTAL.

17 11. TO LIMIT THE NUMBER OF VACATION RENTALS OR SHORT-TERM RENTALS
18 WITHIN THE CITY OR TOWN BY ADOPTING AN ORDINANCE THAT DOES EITHER OF THE
19 FOLLOWING:

20 (a) ESTABLISHES A MAXIMUM NUMBER OF VACATION RENTAL OR SHORT-TERM
21 RENTAL REGULATORY PERMITS OR LICENSES THAT MAY BE ISSUED WITHIN THE
22 BOUNDARIES OF THE CITY OR TOWN.

23 (b) ESTABLISHES A MINIMUM DISTANCE BETWEEN VACATION RENTALS OR
24 SHORT-TERM RENTALS.

25 C. A city or town that requires a local regulatory permit or
26 license pursuant to this section shall issue or deny the permit or license
27 within seven business days of receipt of the information required by
28 subsection B, paragraph 5 of this section and otherwise in accordance with
29 section 9-835, except that a city or town may deny issuance of a permit or
30 license only for any of the following:

31 1. Failure to provide the information required by subsection B,
32 paragraph 5, subdivisions (a) through (e) of this section.

33 2. Failure to pay the required permit or license fee.

34 3. At the time of application the owner has a suspended permit or
35 license for the same vacation rental or short-term rental.

36 4. The applicant provides false information.

37 5. The owner or owner's designee of a vacation rental or short-term
38 rental is a registered sex offender or has been convicted of any felony
39 offense that resulted in death or serious physical injury or any felony
40 use of a deadly weapon within the past five years.

41 D. A city or town that requires a local regulatory permit or
42 license pursuant to this section shall adopt an ordinance to allow the
43 city or town to initiate an administrative process to suspend a local
44 regulatory permit or license for a period of up to twelve months for the
45 following verified violations associated with a property:

1 1. ~~Three~~ TWO verified violations within a ~~twelve-month~~
2 TWENTY-FOUR-MONTH period, ~~not including any verified violation based on an~~
3 ~~aesthetic, solid waste disposal or vehicle parking violation that is not~~
4 ~~also a~~ THAT INVOLVE serious ~~threat~~ THREATS to public health and safety.

5 2. THREE VERIFIED VIOLATIONS WITHIN A TWENTY-FOUR-MONTH PERIOD THAT
6 INVOLVE SOLID WASTE DISPOSAL OR VEHICLE PARKING VIOLATIONS.

7 ~~2.~~ 3. One verified violation that results in or constitutes any of
8 the following:

9 (a) A felony offense committed at or in the vicinity of a vacation
10 rental or short-term rental by the vacation rental or short-term rental
11 owner or owner's designee.

12 (b) A serious physical injury or wrongful death at or related to a
13 vacation rental or short-term rental resulting from the knowing,
14 intentional or reckless conduct of the vacation rental or short-term
15 rental owner or owner's designee.

16 (c) An owner or owner's designee knowingly or intentionally housing
17 a sex offender, allowing offenses related to adult-oriented businesses,
18 sexual offenses or prostitution, or operating or maintaining a sober
19 living home, in violation of a regulation or ordinance adopted pursuant to
20 subsection B, paragraph 3 of this section.

21 (d) An owner or owner's designee knowingly or intentionally
22 allowing the use of a vacation rental or short-term rental for a special
23 event that would otherwise require a permit or license pursuant to a city
24 or town ordinance or a state law or rule or for a retail, restaurant,
25 banquet space or other similar use.

26 (e) A VIOLATION OF A BUILDING CODE THAT PRESENTS A POTENTIAL THREAT
27 TO PUBLIC HEALTH OR SAFETY THAT IS RELATED TO CONSTRUCTING, MODIFYING OR
28 ALTERING A VACATION RENTAL OR SHORT-TERM RENTAL WITHOUT A REQUIRED
29 BUILDING PERMIT OR FAILING TO REMEDY AN UNSAFE OR UNSANITARY CONDITION.

30 ~~3.~~ 4. Notwithstanding paragraphs 1 and 2 of this subsection, any
31 attempted or completed felony offense, arising from the occupancy or use
32 of a vacation rental or short-term rental, that results in a death, or
33 actual or attempted serious physical injury, shall be grounds for judicial
34 relief in the form of a suspension of the property's use as a vacation
35 rental or short-term rental for a period of time that shall not exceed
36 twelve months.

37 E. A city or town that requires sex offender background checks on a
38 vacation rental or short-term rental guest shall waive the requirement if
39 an online lodging marketplace performs a sex offender background check of
40 the booking guest.

41 ~~F. Notwithstanding any other law, a city or town may impose a civil~~
42 ~~penalty of the following amounts against an owner of a vacation rental or~~
43 ~~short-term rental if the owner receives one or more verified violations~~
44 ~~related to the same vacation rental or short-term rental property within~~
45 ~~the same twelve-month period:~~

1 ~~1. Up to \$500 or up to an amount equal to one night's rent for the~~
2 ~~vacation rental or short-term rental as advertised, whichever is greater,~~
3 ~~for the first verified violation.~~

4 ~~2. Up to \$1,000 or up to an amount equal to two nights' rent for~~
5 ~~the vacation rental or short-term rental as advertised, whichever is~~
6 ~~greater, for the second verified violation.~~

7 ~~3. Up to \$3,500 or up to an amount equal to three nights' rent for~~
8 ~~the vacation rental or short-term rental as advertised, whichever is~~
9 ~~greater, for a third and any subsequent verified violation.~~

10 ~~G. F.~~ F. A vacation rental or short-term rental that fails to apply
11 for a local regulatory permit or license in accordance with subsection B,
12 paragraph 5 of this section, ~~within thirty days of the~~ AFTER THE CITY OR
13 TOWN MAKES SUCH A local regulatory permit or license application process
14 ~~being made~~ available ~~by the city or town issuing such permits or licenses,~~
15 must cease operations. ~~In addition to any civil penalties imposed~~
16 ~~pursuant to subsection F of this section,~~ A city or town may impose a
17 civil penalty of up to \$1,000 per month against the owner if the owner or
18 owner's designee fails to apply for a regulatory permit or license within
19 thirty days after receiving written notice of the failure to comply with
20 subsection B, paragraph 5 of this section.

21 ~~H. G.~~ G. If multiple verified violations arise out of the same
22 response to an incident at a vacation rental or short-term rental, those
23 verified violations are considered one verified violation for the purpose
24 of ~~assessing civil penalties or~~ suspending the regulatory permit or
25 license of the owner pursuant to this section.

26 ~~I. H.~~ H. If the owner of a vacation rental or short-term rental has
27 provided contact information to a city or town pursuant to subsection B,
28 paragraph 4 of this section and if the city or town issues a citation for
29 a violation of the city's or town's applicable laws, regulations or
30 ordinances or a state law that occurred on the owner's vacation rental or
31 short-term rental property, the city or town shall make a reasonable
32 attempt to notify the owner or the owner's designee of the citation within
33 seven business days after the citation is issued using the contact
34 information provided pursuant to subsection B, paragraph 4 of this
35 section. If the owner of a vacation rental or short-term rental has not
36 provided contact information pursuant to subsection B, paragraph 4 of this
37 section, the city or town is not required to provide such notice.

38 ~~J. I.~~ I. This section does not exempt an owner of a residential
39 rental property, as defined in section 33-1901, from maintaining with the
40 assessor of the county in which the property is located information
41 required under title 33, chapter 17, article 1.

42 ~~K. J.~~ J. A vacation rental or short-term rental may not be used for
43 nonresidential uses, including for a special event that would otherwise
44 require a permit or license pursuant to a city or town ordinance or a

1 state law or rule or for a retail, restaurant, banquet space or other
2 similar use.

3 K. THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL MAY NOT
4 ADVERTISE A VACATION RENTAL OR SHORT-TERM RENTAL THAT HAS AN OCCUPANCY OF
5 MORE THAN THE MAXIMUM OCCUPANCY LIMIT THAT HAS BEEN ESTABLISHED BY THE
6 CITY OR TOWN. THE CITY OR TOWN MAY IMPOSE A CIVIL PENALTY FOR EACH DAY
7 THE ADVERTISEMENT FOR THE VACATION RENTAL OR SHORT-TERM RENTAL IS IN
8 VIOLATION OF THIS SUBSECTION.

9 L. THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL WHO HOLDS A
10 CURRENT LOCAL REGULATORY PERMIT OR LICENSE THAT HAS BEEN ISSUED BY THE
11 CITY OR TOWN BEFORE THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION
12 AND WHO IS IN GOOD STANDING AT THE TIME AN ORDINANCE IS PASSED BY A CITY
13 OR TOWN PURSUANT TO SUBSECTION B, PARAGRAPH 11 OF THIS SECTION IS EXEMPT
14 FROM THE LIMITS ADOPTED BY THE CITY OR TOWN PURSUANT TO SUBSECTION B,
15 PARAGRAPH 11 OF THIS SECTION. THIS EXEMPTION ONLY APPLIES TO THE OWNER'S
16 EXISTING VACATION RENTALS OR SHORT-TERM RENTALS THAT HAVE BEEN ISSUED A
17 LOCAL REGULATORY PERMIT OR LICENSE BY THE CITY OR TOWN AS OF THE EFFECTIVE
18 DATE OF THIS AMENDMENT TO THIS SECTION AND AS LONG AS THE OWNER OF THE
19 VACATION RENTALS OR SHORT-TERM RENTALS MAINTAINS THE OWNER'S PERMIT OR
20 LICENSE IN GOOD STANDING. THIS SUBSECTION DOES NOT APPLY IF EITHER OF THE
21 FOLLOWING OCCUR:

22 1. THE CITY OR TOWN DETERMINES THAT APPLYING THE ORDINANCE TO THE
23 VACATION RENTAL OR SHORT-TERM RENTAL IS NECESSARY TO PROTECT THE PUBLIC
24 HEALTH AND SAFETY.

25 2. THE VACATION RENTAL OR SHORT-TERM RENTAL LOCAL REGULATORY PERMIT
26 OR LICENSE IS REVOKED OR SUSPENDED BY THE CITY OR TOWN.

27 ~~L.~~ M. For the purposes of this section:

28 1. "Accessory dwelling unit" has the same meaning prescribed in
29 section 9-461.18.

30 2. "Online lodging marketplace" has the same meaning prescribed in
31 section 42-5076.

32 3. "Transient" has the same meaning prescribed in section 42-5070.

33 4. "Vacation rental" or "short-term rental":

34 (a) Means any individually or collectively owned single-family or
35 one-to-four-family house or dwelling unit or any unit or group of units in
36 a condominium or cooperative that is also a transient public lodging
37 establishment or owner-occupied residential home offered for transient use
38 if the accommodations are not classified for property taxation under
39 section 42-12001.

40 (b) Does not include a unit that is used for any nonresidential
41 use, including retail, restaurant, banquet space, event center or another
42 similar use.

43 5. "Verified violation" means a finding of guilt or civil
44 responsibility for violating any state law or local ordinance relating to

1 a purpose prescribed in subsection B, D, ~~F~~ or ~~K~~ J of this section that
2 has been finally adjudicated.

3 Sec. 2. Section 11-269.17, Arizona Revised Statutes, is amended to
4 read:

5 11-269.17. Regulation of vacation rentals and short-term
6 rentals; civil penalties; transaction privilege
7 tax license suspension; definitions

8 A. A county may not prohibit vacation rentals or short-term
9 rentals.

10 B. ~~A county may not restrict the use of or regulate vacation~~
11 ~~rentals or short-term rentals based on their classification, use or~~
12 ~~occupancy except as provided in this section.~~ A county may regulate
13 vacation rentals or short-term rentals within the unincorporated areas of
14 the county as follows:

15 1. To protect the public's health and safety, including rules and
16 regulations related to fire and building codes, health and sanitation,
17 transportation or traffic control and solid or hazardous waste and
18 pollution control, if the county demonstrates that the rule or regulation
19 is for the primary purpose of protecting the public's health and safety.

20 2. To adopt and enforce use and zoning ordinances, including
21 ordinances related to noise, protection of welfare, property maintenance
22 and other nuisance issues, ~~if the ordinance is applied in the same manner~~
23 ~~as other property classified under sections 42-12003 and 42-12004.~~

24 3. To limit or prohibit the use of a vacation rental or short-term
25 rental for the purposes of housing sex offenders, operating or maintaining
26 a sober living home, selling illegal drugs, liquor control or pornography,
27 obscenity, nude or topless dancing and other adult-oriented businesses.

28 4. To require the owner of a vacation rental or short-term rental
29 to provide the county with emergency contact information for the owner or
30 the owner's designee who is responsible for responding to complaints or
31 emergencies in a timely manner in person if required by public safety
32 personnel, over the phone or by email at any time of day before offering
33 for rent or renting the vacation rental or short-term rental. In addition
34 to any other penalty imposed pursuant to this section, the county may
35 impose a civil penalty of up to \$1,000 against the owner for every thirty
36 days the owner fails to provide contact information as prescribed by this
37 paragraph. The county shall provide thirty days' notice to the owner
38 before imposing the initial civil penalty.

39 5. To require the owner of a vacation rental or short-term rental
40 to obtain and maintain a local regulatory permit or license. As a
41 condition of issuance of a permit or license, the application for the
42 permit or license may require an applicant to provide only the following:

43 (a) The name, address, telephone number and email address for the
44 owner or owner's agent.

45 (b) The address of the vacation rental or short-term rental.

1 (c) Proof of compliance with section 42-5005.

2 (d) Contact information required pursuant to paragraph 4 of this
3 subsection.

4 (e) Acknowledgment of an agreement to comply with all applicable
5 laws, regulations and ordinances.

6 (f) A fee not to exceed the actual cost of issuing the permit or
7 license or \$250, whichever is less.

8 6. To require, before offering a vacation rental or short-term
9 rental for rent for the first time, the owner or the owner's designee of a
10 vacation rental or short-term rental to notify all single-family
11 residential properties adjacent to and directly and diagonally across the
12 street from the vacation rental or short-term rental. Notice shall be
13 deemed sufficient in a multifamily residential building if given to
14 residents on the same building floor. A county may require additional
15 notification pursuant to this paragraph if the contact information
16 previously provided changes. Notification provided in compliance with
17 this paragraph shall include the permit or license number if required by
18 the county, the address of the vacation rental or short-term rental and
19 the information required pursuant to paragraph 4 of this subsection. The
20 owner or the owner's designee shall demonstrate compliance with this
21 paragraph by providing the county with an attestation of notification
22 compliance that consists of the following information:

23 (a) The permit or license number of the vacation rental or
24 short-term rental, if required by the county.

25 (b) The address of each property notified.

26 (c) A description of the manner in which the owner or owner's
27 designee chose to provide notification to each property subject to
28 notification.

29 (d) The name and contact information of the person attesting to
30 compliance with this paragraph.

31 7. To require the owner or owner's designee of a vacation rental or
32 short-term rental to display the local regulatory permit number or license
33 number, if any, on each advertisement for a vacation rental or short-term
34 rental that the owner or owner's designee maintains. A county that does
35 not require a local regulatory permit or license may require the owner or
36 owner's designee of a vacation rental or short-term rental to display the
37 transaction privilege tax license number required by section 42-5042 on
38 each advertisement for a vacation rental or short-term rental that the
39 owner or owner's designee maintains.

40 8. To require the vacation rental or short-term rental to maintain
41 liability insurance appropriate to cover the vacation rental or short-term
42 rental in the aggregate of at least \$500,000 or to advertise and offer
43 each vacation rental or short-term rental through an online lodging
44 marketplace that provides equal or greater coverage.

1 9. To require the owner of a vacation rental or short-term rental
2 to reside on the property if the property contains an accessory dwelling
3 unit and if a certificate of occupancy, certificate of completion or
4 similar final approval for the accessory dwelling unit was issued by the
5 county on or after September 14, 2024. This paragraph does not apply to
6 an owner of a vacation rental or short-term rental if the property
7 contains an accessory dwelling unit and the certificate of completion, the
8 certificate of occupancy or a similar final approval for the accessory
9 dwelling unit was issued on or before September 13, 2024.

10 10. TO RESTRICT THE MAXIMUM NUMBER OF OCCUPANTS THAT ARE ALLOWED IN
11 A VACATION RENTAL OR SHORT-TERM RENTAL TO THE LESSER OF THE FOLLOWING:

12 (a) THE OCCUPANCY LIMIT THAT IS ESTABLISHED BY THE COUNTY.

13 (b) NOT MORE THAN TWO OCCUPANTS PER BEDROOM, UP TO FOUR BEDROOMS,
14 PLUS TWO ADDITIONAL ADULTS PER ONE THOUSAND SQUARE FEET OF LIVABLE SPACE
15 THAT IS IN EXCESS OF THREE THOUSAND SQUARE FEET OF LIVABLE SPACE OF THE
16 VACATION RENTAL OR SHORT-TERM RENTAL.

17 11. TO LIMIT THE NUMBER OF VACATION RENTALS OR SHORT-TERM RENTALS
18 WITHIN THE COUNTY BY ADOPTING AN ORDINANCE THAT DOES EITHER OF THE
19 FOLLOWING:

20 (a) ESTABLISHES A MAXIMUM NUMBER OF VACATION RENTAL OR SHORT-TERM
21 RENTAL REGULATORY PERMITS OR LICENSES THAT MAY BE ISSUED WITHIN THE
22 BOUNDARIES OF THE COUNTY.

23 (b) ESTABLISHES A MINIMUM DISTANCE BETWEEN VACATION RENTALS OR
24 SHORT-TERM RENTALS.

25 C. A county that requires a local regulatory permit or license
26 pursuant to this section shall issue or deny the permit or license within
27 seven business days of receipt of the information required by subsection
28 B, paragraph 5 of this section and otherwise in accordance with section
29 11-1602, except that a county may deny issuance of a permit or license
30 only for any of the following:

31 1. Failure to provide the information required by subsection B,
32 paragraph 5, subdivisions (a) through (e) of this section.

33 2. Failure to pay the required permit or license fee.

34 3. At the time of application the owner has a suspended permit or
35 license for the same vacation rental or short-term rental.

36 4. The applicant provides false information.

37 5. The owner or owner's designee of a vacation rental or short-term
38 rental is a registered sex offender or has been convicted of any felony
39 offense that results in death or serious physical injury or any felony use
40 of a deadly weapon within the past five years.

41 D. A county that requires a local regulatory permit or license
42 pursuant to this section shall adopt an ordinance to allow the county to
43 initiate an administrative process to suspend a local regulatory permit or
44 license for a period of up to twelve months for the following verified
45 violations associated with a property:

1 1. ~~Three~~ TWO verified violations within a ~~twelve-month~~
2 TWENTY-FOUR-MONTH period, ~~not including any verified violation based on an~~
3 ~~aesthetic, solid waste disposal or vehicle parking violation that is not~~
4 ~~also a~~ THAT INVOLVE serious ~~threat~~ THREATS to public health or safety.

5 2. THREE VERIFIED VIOLATIONS WITHIN A TWENTY-FOUR-MONTH PERIOD THAT
6 INVOLVE SOLID WASTE DISPOSAL OR VEHICLE PARKING VIOLATIONS.

7 ~~2.~~ 3. One verified violation that results in or constitutes any of
8 the following:

9 (a) A felony offense committed at or in the vicinity of a vacation
10 rental or short-term rental by the vacation rental or short-term rental
11 owner or owner's designee.

12 (b) A serious physical injury or wrongful death at or related to a
13 vacation rental or short-term rental resulting from the knowing,
14 intentional or reckless conduct of the vacation rental or short-term
15 rental owner or owner's designee.

16 (c) An owner or owner's designee knowingly or intentionally housing
17 a sex offender, allowing offenses related to adult-oriented businesses,
18 sexual offenses or prostitution, or operating or maintaining a sober
19 living home, in violation of regulation or ordinance adopted pursuant to
20 subsection B, paragraph 3 of this section.

21 (d) An owner or owner's designee knowingly or intentionally
22 allowing the use of a vacation rental or short-term rental for a special
23 event that would otherwise require a permit or license pursuant to a
24 county ordinance or a state law or rule or for a retail, restaurant,
25 banquet space or other similar use.

26 (e) A VIOLATION OF A BUILDING CODE THAT PRESENTS A POTENTIAL THREAT
27 TO PUBLIC HEALTH OR SAFETY THAT IS RELATED TO CONSTRUCTING, MODIFYING OR
28 ALTERING A VACATION RENTAL OR SHORT-TERM RENTAL WITHOUT A REQUIRED
29 BUILDING PERMIT OR FAILING TO REMEDY AN UNSAFE OR UNSANITARY CONDITION.

30 ~~3.~~ 4. Notwithstanding paragraphs 1 and 2 of this subsection, any
31 attempted or completed felony offense, arising from the occupancy or use
32 of a vacation rental or short-term rental, that results in a death, or
33 actual or attempted serious physical injury, shall be grounds for judicial
34 relief in the form of a suspension of the property's use as a vacation
35 rental or short-term rental for a period of time that shall not exceed
36 twelve months.

37 E. A county that requires sex offender background checks on a
38 vacation rental or short-term rental guest shall waive the requirement if
39 an online lodging marketplace performs a sex offender background check of
40 the booking guest.

41 ~~F. Notwithstanding any other law, a county may impose a civil~~
42 ~~penalty of the following amounts against an owner of a vacation rental or~~
43 ~~short-term rental if the owner receives one or more verified violations~~
44 ~~related to the same vacation rental or short-term rental property within~~
45 ~~the same twelve-month period:~~

1 ~~1. Up to \$500 or up to an amount equal to one night's rent for the~~
2 ~~vacation rental or short-term rental as advertised, whichever is greater,~~
3 ~~for the first verified violation.~~

4 ~~2. Up to \$1,000 or up to an amount equal to two nights' rent for~~
5 ~~the vacation rental or short-term rental as advertised, whichever is~~
6 ~~greater, for the second verified violation.~~

7 ~~3. Up to \$3,500 or up to an amount equal to three nights' rent for~~
8 ~~the vacation rental or short-term rental as advertised, whichever is~~
9 ~~greater, for a third and any subsequent verified violation.~~

10 ~~G.~~ F. A vacation rental or short-term rental that fails to apply
11 for a local regulatory permit or license in accordance with subsection B,
12 paragraph 5 of this section, ~~within thirty days of the~~ AFTER THE COUNTY
13 MAKES SUCH A local regulatory permit or license application process ~~being~~
14 ~~made~~ available ~~by the county issuing such permits or licenses,~~ must cease
15 operations. ~~In addition to any civil penalties imposed pursuant to~~
16 ~~subsection F of this section,~~ A county may impose a civil penalty of up to
17 \$1,000 per month against the owner if the owner or owner's designee fails
18 to apply for a regulatory permit or license within thirty days after
19 receiving written notice of the failure to comply with subsection B,
20 paragraph 5 of this section.

21 ~~H.~~ G. If multiple verified violations arise out of the same
22 response to an incident at a vacation rental or short-term rental, those
23 verified violations are considered one verified violation for the purpose
24 of ~~assessing civil penalties or~~ suspending the regulatory permit or
25 license of the owner pursuant to this section.

26 ~~I.~~ H. If the owner of a vacation rental or short-term rental has
27 provided contact information to a county pursuant to subsection B,
28 paragraph 4 of this section and if the county issues a citation for a
29 violation of the county's applicable laws, regulations or ordinances or a
30 state law that occurred on the owner's vacation rental or short-term
31 rental property, the county shall make a reasonable attempt to notify the
32 owner or the owner's designee of the citation within seven business days
33 after the citation is issued using the contact information provided
34 pursuant to subsection B, paragraph 4 of this section. If the owner of a
35 vacation rental or short-term rental has not provided contact information
36 pursuant to subsection B, paragraph 4 of this section, the county is not
37 required to provide such notice.

38 ~~J.~~ I. This section does not exempt an owner of a residential
39 rental property, as defined in section 33-1901, from maintaining with the
40 assessor of the county in which the property is located information
41 required under title 33, chapter 17, article 1.

42 ~~K.~~ J. A vacation rental or short-term rental may not be used for
43 nonresidential uses, including for a special event that would otherwise
44 require a permit or license pursuant to a county ordinance or a state law
45 or rule or for a retail, restaurant, banquet space or other similar use.

1 K. THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL MAY NOT
2 ADVERTISE A VACATION RENTAL OR SHORT-TERM RENTAL THAT HAS AN OCCUPANCY OF
3 MORE THAN THE MAXIMUM OCCUPANCY LIMIT THAT HAS BEEN ESTABLISHED BY THE
4 COUNTY. THE COUNTY MAY IMPOSE A CIVIL PENALTY FOR EACH DAY THE
5 ADVERTISEMENT FOR THE VACATION RENTAL OR SHORT-TERM RENTAL IS IN VIOLATION
6 OF THIS SUBSECTION.

7 L. THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL WHO HOLDS A
8 CURRENT LOCAL REGULATORY PERMIT OR LICENSE THAT HAS BEEN ISSUED BY THE
9 COUNTY BEFORE THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION AND WHO
10 IS IN GOOD STANDING AT THE TIME AN ORDINANCE IS PASSED BY A COUNTY
11 PURSUANT TO SUBSECTION B, PARAGRAPH 11 OF THIS SECTION IS EXEMPT FROM THE
12 LIMITS ADOPTED BY THE COUNTY PURSUANT TO SUBSECTION B, PARAGRAPH 11 OF
13 THIS SECTION. THIS EXEMPTION ONLY APPLIES TO THE OWNER'S EXISTING
14 VACATION RENTALS OR SHORT-TERM RENTALS THAT HAVE BEEN ISSUED A LOCAL
15 REGULATORY PERMIT OR LICENSE BY THE COUNTY AS OF THE EFFECTIVE DATE OF
16 THIS AMENDMENT TO THIS SECTION AND AS LONG AS THE OWNER OF THE VACATION
17 RENTALS OR SHORT-TERM RENTALS MAINTAINS THE OWNER'S PERMIT OR LICENSE IN
18 GOOD STANDING. THIS SUBSECTION DOES NOT APPLY IF EITHER OF THE FOLLOWING
19 OCCUR:

20 1. THE COUNTY DETERMINES THAT APPLYING THE ORDINANCE TO THE
21 VACATION RENTAL OR SHORT-TERM RENTAL IS NECESSARY TO PROTECT THE PUBLIC
22 HEALTH AND SAFETY.

23 2. THE VACATION RENTAL OR SHORT-TERM RENTAL LOCAL REGULATORY PERMIT
24 OR LICENSE IS REVOKED OR SUSPENDED BY THE COUNTY.

25 ~~L.~~ M. For the purposes of this section:

26 1. "Accessory dwelling unit" has the same meaning prescribed in
27 section 11-810.01.

28 2. "Online lodging marketplace" has the same meaning prescribed in
29 section 42-5076.

30 3. "Transient" has the same meaning prescribed in section 42-5070.

31 4. "Vacation rental" or "short-term rental":

32 (a) Means any individually or collectively owned single-family or
33 one-to-four-family house or dwelling unit or any unit or group of units in
34 a condominium or cooperative that is also a transient public lodging
35 establishment or owner-occupied residential home offered for transient use
36 if the accommodations are not classified for property taxation under
37 section 42-12001.

38 (b) Does not include a unit that is used for any nonresidential
39 use, including retail, restaurant, banquet space, event center or another
40 similar use.

41 5. "Verified violation" means a finding of guilt or civil
42 responsibility for violating any state law or local ordinance relating to
43 a purpose prescribed in subsection B, ~~D, F~~ or ~~K~~ J of this section that
44 has been finally adjudicated.