

## Title 20    Short-Term / Vacation Rentals

### Sections:

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**20.01.010    Intent**

The intent of this chapter is to establish appropriate regulations relating to the use of dwellings within the town limits that owners wish to use as short-term rentals.

### **20.01.020    Chapter Goals**

The Town of Eatonville recognizes the right of property owners within the town boundaries to rent their dwelling(s) on a short-term basis. Our goals are as follows:

1. To mitigate the disruption that short-term and vacation rentals may have on a neighborhood.
2. To preserve a sufficient supply of long-term rentals in the town.
3. To protect the property values of surrounding properties that may be impacted by short-term rentals that become excessive or are not managed properly.

### **20.01.030    Chapter Definitions**

**Annual safety inspection:** The building inspector shall be responsible for conducting an annual inspection.

**Bedroom:** Any room that has a bed, a closet and two exits (door/door or door/window).

**Business license:** See EMC 5.04.20 (C) 1-3.

**Comprehensive Plan:** “Comprehensive Plan” means the plans, maps, and reports which have been adopted by the town council in accordance with Chapter 35.63 RCW or RCW Title 35A. (Ord. 94-06 § 2, 1994.)

**Dwelling:** See EMC 18.02.130.

**Lodging:** “Lodging” refers to a dwelling or part thereof, other than a motel or hotel, where lodging, with or without meals, is provided.

**Planning Director:** “Planning director” refers to the Eatonville Town Planner, or the duly authorized representative of the Town Planner, such as the Town Administrator.

**Public Works Team:** The “Public Works Team” refers to the three or more of the following officials: Town Administrator, Director of Public Works, Town Planner, Building Inspector, and the Mayor.

**Revised Code of Washington:** The Revised Code of Washington, (RCW), is the compilation of all permanent laws now in force in the State of Washington.

**Short-term rental:** *Short-term rental* and *vacation rental* are interchangeable and refer to the rental of a dwelling, or portion thereof, for the purpose of providing lodging, for periods of less than 30 days.

**Transient:** “Transient” refers to a guest or boarder who stays only briefly.

**Vacation rental:** See short-term rental definition

## **20.01.040 Revised Code of Washington/Comprehensive Plan requirements**

None of the requirements outlined in ***Title 20 (Short-Term Rentals)***, including in the ***Town of Eatonville Regulation Handbook***, are driven or required by the Revised Code of Washington or the Town of Eatonville’s Comprehensive Plan.

## **20.01.050 Regulation enforcement and penalties**

1. The regulations outlined in this chapter may be enforced by any authorized representative of the town including, but not limited to the mayor, chief of police, building inspector, code enforcement official, town administrator, or designee. The town shall seek all available legal remedies against the property owner, owner’s agent, and/or the designated property manager as the Public Works Team deems appropriate.

The first and second violations of the regulations (per property) shall be punishable with a monetary amount as shown on the current Town of Eatonville Fee Schedule to be paid within 45 days or all short-term rental permits and licenses shall be revoked.

The third violation (per property) within a 12-month period shall result in permanent revocation of all short-term rental permits and licenses.

Anyone operating a short-term rental in the town of Eatonville without a short-term rental permit issued by the town or not meeting any of the requirements of this chapter, shall have 60 days from the date they are given written notice by the town stating that a non-compliance issue exists to take measures to become compliant with this chapter and upon application for a short-term rental permit shall pay double the normal fees. Penalties under this section shall be deemed to be separate from any other applicable penalty provisions including license and tax penalties.

**2. Permit Required.** After town review and determination of compliance with the provisions of this chapter and after all fees have been paid, an annual permit will be issued for short-term vacation rental use (per dwelling). A short-term rental dwelling approval is issued to the owner of the dwelling, not the dwelling itself. If the property owner sells or transfers the real property, the new owner shall apply for, pay for and receive a short-term rental dwelling approval permit from the town before again using the dwelling as a short-term rental. As part of the permitting application, a Local Property Representative must be identified.

**3. Business licenses.** Any person desiring to rent their dwelling on a short-term rental basis shall make application for a business license and pay the administrative fee as well as the license service's applicable handling fee as shown on the current Town of Eatonville Fee Schedule. A business license will not be issued by the town until the annual permit for short-term rental use of the dwelling as described above has been approved and issued.

**4. Special circumstance.** If any term or provision of the stated regulations or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this chapter shall not be affected thereby and shall continue in full force and effect.

**5. Term of Validity.** This title and all administrative procedures and guidance resulting from the provisions in this title shall expire on September 30, 2024, and then annually, on September 30<sup>th</sup>, thereafter. At least two months before the yearly expiration of this title, the Public Works Team will meet and decide whether the title will be renewed. They will research the number of short-term rental permits issued in the previous year compared to the total short term and long term rentals available within the Town limits, the number of complaints received in relation to short term rentals and any other data that may be relevant in making their decision to extend the provisions of the title. The Team shall consider the stated Intent (20.01.010) and Goals (20.01.020) as they make the decision. If the Team decides not to renew the title, the issue shall immediately be sent to the Planning Commission. The Commission will decide what its recommendation will be

regarding amending, mothballing or repealing the title completely and pass those recommendations on to the Town Council for their final decision.

## **20.01.060 Chapter Regulations**

**1. Administration.** An appeal board, consisting of the Public Works Team shall have the power to adjust the regulations as may reasonably be applied to any individual license application. The Public Works Team is required to keep a written record which explains the reasoning behind any approved deviations made from the regulations. This written record will become a permanent part of the regulations going forward and are outlined in section 20.01.070

**2. Conditions.** The following conditions of approval shall apply to permit and business license applications for short-term or vacation rentals:

**a. Local Property Representative.** The property owner must designate a local property representative who shall be available 24 hours per day, seven days per week, for the purpose of:

- i. Responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the short-term rental; and
- ii. Taking remedial action to resolve any such complaints.

**b. Required information.** The name, address, and telephone contact number of the property owner and the local property representative shall be kept on site and posted at the short-term rental location and must be kept on file at the town and shall at all times be available to the Eatonville Police Department. Failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of short-term rental approval as well as potential civil or criminal penalties.

**c. Occupancy.** Maximum number of occupants over the age of 3 allowed per dwelling unit shall not exceed two (2) occupants plus two (2) additional occupants per bedroom. All bedrooms must have a bed, a closet and two exits (door/door or door/window). The annual inspection report (copy on file with the Town Clerk) will include the number of bedrooms available to rent. The property owner shall be responsible for ensuring that the dwelling unit does not exceed its maximum occupancy.

**d. Restrictions on Use.** A renter may not use a short-term rental for any purpose other than for lodging or sleeping purposes. This restriction includes using the

rental for a wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event, or any similar group activity.

**e. Parking.** One (1) off-street parking space shall be provided for each bedroom in the vacation rental, but in no event shall fewer than two (2) off-street spaces be provided.

**f. Signage.** No outdoor advertising signs related to the rental dwelling shall be allowed on the site.

**g. Information Packet.** A packet of information shall be provided to renters and posted conspicuously in the common area of the short-term rental summarizing guidelines and restrictions applicable to the short-term rental use, including:

i. Information on maximum occupancy;

ii. Applicable noise and use restrictions;

iii. Location of assigned off-street parking;

iii. Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;

v. Contact information for the local property representative;

vi. Evacuation routes;

vii. The renter's responsibility not to trespass on private property, litter or to create disturbances; and

viii. Notification that the renter is responsible for complying with this chapter and that the renter may be cited or fined by the town for violating any provisions of this chapter.

ix. A feedback form and a stamped envelope addressed to the town clerk (both provided by the Town of Eatonville), providing guests with an opportunity to provide feedback to the town on their overall experiences.

**h. Postings.** Conspicuously posting and maintaining the following information inside the vacation rental:

i. A copy of the property owner's short-term rental permit and business license.

ii. Relevant public notices issued from the fire marshal regarding fireworks, outdoor burning, etc.

**i. Insurance.** The property owner shall maintain on file at the town an up-to-date certificate of insurance documenting that the dwelling is insured as a short-term rental.

**j. Inspection.** The property owner or his/her designee shall maintain on file at the town an up-to-date certificate of inspection documenting that the dwelling complies with the provisions for transient accommodations in the International Building Code as adopted by the town and shall obtain an appropriate certificate of occupancy. Inspection report shall include number of bedrooms safely available for use. It shall be the responsibility of the property owner to schedule and pass an annual safety inspection.

**ix. Compliance with Town Ordinances.** All short-term or vacation rentals must comply with all town codes and ordinances, including but not limited to Noise Regulations and Nuisances.

**k. Effective Date and Expiration.** A business license obtained shall be effective for one year and shall expire on the date established by the master license service. Should an applicant apply for a license after the beginning of the license year, the license fee as shown on the current Town of Eatonville Fee Schedule shall be paid in full and shall not be prorated. The business license renewal procedures established shall apply.

**i. Taxes.** All transient occupancy tax, sales and use tax, and business and occupation tax provisions apply.

**ii. Procedures.** The procedures for the approval and denial of a business license, and for the appeal of a business license decision, shall apply as established. Applicants who do not comply with the conditions of approval as established shall be denied a business license or renewal of a business license thereby forfeiting their right to rent their dwelling(s) on a short-term basis.