



**TOQUERVILLE CITY
ORDINANCE 2020.04
NIGHTLY RENTAL**

An ordinance amending Title 10, Chapter 17-3 - Nightly Rentals: to clarify primary residence ownership.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized under the laws of the State of Utah; and

WHEREAS, the current General Plan identifies the community vision for Toquerville and the expectation for the city to responsibly plan for increased tourism; and

WHEREAS, Toquerville wanted to preserve the original spirit of the law regarding a nightly rental and clarify residing owner requirements of a nightly rental.

ORDINANCE

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of Toquerville City, State of Utah, as follows:

10-17-3: NIGHTLY RENTAL:

F. The City's intent of a nightly rental is to keep the residential feel throughout the community and hold the nightly rental owner (resident) accountable for their occupants. Nightly rental owners (residents) that are absent from Toquerville for periods of times, exceeding 14 days every calendar month during which nightly rentals are available for occupancy or occurring, and/or do not meet the residency requirement of the city, shall be subject to revocation of their nightly rental permit and/or denied the renewal of their nightly rental permit at annual review. Owner must have an emergency contact on file of a Toquerville resident, in the event that the owner is unavailable or absent. For purposes of this chapter, the term "owner" shall mean:

1. A natural person who owns the controlling interest of the dwelling wherein the nightly rental occurs, or
2. A business entity of which a natural person principal holding a controlling interest of at least fifty one percent (51%) of the entity shall have a primary residence within the City.

REPEALER: This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.



SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

EFFECTIVE DATE: This Ordinance shall take effect immediately upon approved by the City Council.

PASSED AND APPROVED THIS 13th DAY OF FEBRUARY, 2020.

Justin Sip	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Abstain/Absent <input type="checkbox"/>
Ty Bringhurst	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Abstain/Absent <input type="checkbox"/>
Keen Ellsworth	Aye <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>	Abstain/Absent <input type="checkbox"/>
Chuck Williams	Aye <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain/Absent <input checked="" type="checkbox"/>
Gary Chaves	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Abstain/Absent <input type="checkbox"/>

CITY OF TOQUERVILLE
a Utah Municipal Corporation



Lynn Chamberlain, Mayor

2/19/2020
Date



Attest: Ruth Evans, City Recorder

