

## **Bull Shoals Planning and Zoning Committee**

### **Recommendation to Bull Shoals City Council concerning Short Term Rentals (STR)**

January 9, 2023

**Recommendation:** Attached is Ordinance 2022-42 of Mountain Home, AR. It is short, concise and deliberate. We strongly suggest Bull Shoals City Council consider adopting at least part, if not the entire document.

Questions have been asked- “If other people can park on the street, why can't I? ”, and “What can I do if renters are a problem? ”. We will address a few of these questions below.

Members of the Planning and Zoning Committee (PZC) have discussed STR concerns with various city officials/residents. City Police state 90% of complaints are solved when they respond to a called-in complaint. The police provide forms to be filled out to the other 10%, which are brought to the attention of city officials. We do not believe PZC should be tasked with reviewing these complaints. We have no authority to pass judgment or even make a legal recommendation to City Council. Therefore it is recommended that any unresolved complaints be submitted promptly and directly to the city council at the monthly workshop, then developed solutions be voted upon at the council meeting.”

Bull Shoals streets are narrow, making it difficult for emergency vehicles to pass when boats and extra vehicles are parked on the street. All we need to say is “Parking for guests to be provided onsite-PERIOD”. Perhaps it would be wise for the rest of the community to observe this as well. We are not talking about events such as garage sales and fund raisers, but residents or occasional visitors”.

All homes in Bull Shoals have to be at least 925 square feet. We don't believe we need to regulate anything different for STR guests. It is up to the owner to please his guests, or he will soon be out of business. Can mobile homes be STRs? We already have one in Bull Shoals.

In short, we are not going to please everyone, but hopefully we can keep our community safe and law-abiding. We suggest that the Mountain Home Ordinance is the best way to start.

Respectfully,

  
Bonnie Sumner  
Chairman

## ORDINANCE NO. 2022-42

**AN ORDINANCE PROVIDING FOR SHORT-TERM RENTALS WITHIN THE CITY OF MOUNTAIN HOME, ARKANSAS. PROVIDING GUIDELINES AND PROCEDURES.**

**ALSO PROVIDING GUIDELINES AND PROCEDURES FOR SHORT-TERM RENTALS WITHIN PLATTED SUBDIVISIONS WITH AN R ZONING.**

WHEREAS, short-term rentals are gaining popularity and provide economic opportunities within the City of Mountain Home, Arkansas; and

WHEREAS, short-term rentals should be allowed in all zoning districts of the City of Mountain Home, Arkansas;

WHEREAS, short-term rentals within platted subdivisions with an R zonings require guidelines to protect and benefit the inhabitants within the R zoning classifications.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS**

**Section 1: Definition**

Short-term rental (STR) means a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights. STR are commonly referred to as vacation rentals. STR are a form of tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the purpose of administration and enforcement of this Ordinance, the terms "overnight rental," "nightly rental," and "vacation rental" are interchangeable with short-term rentals.

Section 2: All short-term rentals within the City of Mountain Home, Arkansas shall meet the following requirements to wit:

- A. Short-term rentals must show compliance with State, County and municipal tax requirements, and will obtain and maintain annually a business license through the City of Mountain Home prior to operation. Business licenses will be published monthly.
- B. Short-term rental operator shall provide 24-hour contact information to the City of Mountain Home.
- C. Short-term rental operator shall use the City business license number on all listings with third parties, such as Airbnb, FlipKey or VRBO
- D. Any other State requirements for rental properties must be in compliance including the collection of all appropriate taxes. i.e; State, County, Municipal and Tourism taxes.
- E. Parking for guests shall be provided onsite.
- F. Guests shall comply with local Noise, Pet ordinances and will not create a disturbance for adjacent landowners.
- G. Prior to issuance of the initial business license the property, owner shall submit to an inspection by the City. Building Inspection and Fire Department to ensure compliance with all City Codes. Thereafter, the Short-term rental shall have an annual fire inspection and include the following safety devices: fire extinguisher(s), smoke detector(s), carbon monoxide detector(s). The Short-term rental operator shall follow all State, County and City fire codes.

H. No permit issued pursuant to the terms of this Ordinance shall be transferable to any other person or location.

**Section 3: Short-term rentals within platted Subdivisions with an R zoning shall meet all the requirements of this Ordinance along with the following:**

A. Short-term rentals in platted Subdivisions may be advertised for short-term rental via internet sites such as Homeaway, Airbnb, VRBO, Flipkey and in tourism magazines or other printed material, but NO ADVERTISING SIGNAGE shall be allowed on the property or streets in the City of Mountain Home. A short-term rental may have a small sign attached to the entrance to identify a special name, i.e.; "Honeysuckle House,." The sign may not be separated from the home but must be attached to the home proper.

**Section 4:** Upon compliance with the terms and conditions of this Ordinance, A Short-term rental business license shall be issued to the owner of the property by the City of Mountain Home. The City shall charge \$50 per house per year for the business license. Any permits issued during any part of any calendar year must be renewed the succeeding year. Annual license fees are due at the beginning of each calendar year.

Mountain Home City officials may revoke the Short-term rental business license if there are valid complaints from adjacent neighbors that are not corrected in a timely manner (no longer than 30 days from the properly completed complaint process) These complaints will be made in the form of a written document from the concerned citizen(s) with specific details for date and time, and issue(s) and presented to the City Council of Mountain Home.

If the City Council determines this to be a valid complaint, then a written correction plan with dates to verify resolution of the problem(s) from the property owner will be required. Failure to respond or resolve a valid complaint will result in a revocation of the business license with notice to the property owner to cease rentals until resolved. A renewal fee of \$50 will be required to reestablish rental operations, and all records of the event will be kept on file at the City Offices. If, and when three (3) separate violations occur, the short-term rental business license will be revoked permanently.

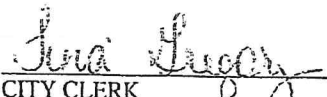
**Section 5:** Short-term rental property owners shall require renters to sign a CONTRACTURAL AGREEMENT which will be maintained in the property owner's possession and will be available for review should questions arise by City officials.

**Section 6:** Any violations of the terms and conditions of this Ordinance shall be subject to a fine ranging from \$0 to \$500 with each day of violation being deemed a separate offence. Furthermore, failure to comply with the terms and conditions of this Ordinance may result in the revocation of the short-term rental business licenses after any notices and hearings required by law. Violation of this Ordinance shall be treated as a strict liability offense regardless of intent.

PASSED AND APPROVED this 20 day of October, 2022

  
MAYOR

ATTEST:

  
CITY CLERK