



ORDINANCE NO. _____

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
DOES ORDAIN AS FOLLOWS:**

**ORDINANCE AMENDING THE EL DORADO COUNTY ORDINANCE CODE
Title 5 – BUSINESS TAXES, LICENSES AND REGULATIONS;
CHAPTER 5.56. - VACATION HOME RENTALS IN THE LAKE TAHOE BASIN**

Sections:

Sec. 5.56.090. – Permit conditions.

Sec. 5.56.100. – Sign and notification requirements.

Section 1. El Dorado County Ordinance Code Title 5 – BUSINESS TAXES, LICENSES AND REGULATIONS, Chapter 5.56.- Vacation Home Rentals sections 5.56.090 and 5.56.100 are hereby added to provide regulations for the use of motorized vehicles on the county trail facilities as follows:

Sec. 5.56.090. - Permit conditions.

A. All permits issued pursuant to this chapter are subject to the following standard conditions:

1. The owner shall, by written agreement, limit overnight occupancy of the vacation home rental to the specific number of occupants designated in the permit; with the number of overnight occupants not to exceed two persons per bedroom meeting building code requirements, plus four additional persons per residence. A bedroom is a room that is designed to be used as a sleeping room and for no other primary purpose. Every bedroom shall have an emergency escape or rescue exit and a minimum ceiling height as follows:
 - a. Bedrooms shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street or yard. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor. Homes built in 1976 or earlier comply if the window sill height does not exceed 48 inches, the openable area is at least five square feet and no openable dimension is less than 22 inches;
 - b. Bedrooms shall have a ceiling height of not less than seven feet six inches, except as provided in this section. When exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than seven feet above the floor. If any room has a sloping ceiling, the prescribed ceiling height for the room is

required in only one-half of the area thereof. No portion of the room measuring less than five feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds area thereof, but in no case shall the height of the furred ceiling be less than seven feet;

2. The owner shall, by written agreement, limit the number of vehicles of overnight occupants to the number designated in the permit; with the number of vehicles of overnight occupants not to exceed the number of designated on-site parking spaces and/or spaces on the street immediately in front of the vacation home rental property;
3. The owner shall use best efforts to ensure that the occupants and/or guests of the vacation home rental do not use or operate any outdoor spa or hot tub after 10:00 p.m. and before 8:00 a.m. or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct by notifying the occupants of the rules regarding vacation home rentals and responding when notified that occupants are violating laws regarding their occupancy. It is not intended that the owner, local agent or contact person act as a peace officer or place him or herself in harm's way;
4. The owner shall, upon notification that occupants and/or guests of his or her vacation home rental have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of this Code or State law pertaining to noise, or disorderly conduct, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests;
5. Trash and refuse.
 - a. The owner of the vacation home rental shall comply with and use his or her best efforts to achieve compliance by the occupants with all the solid waste management provisions of Chapter 8.42. Except as provided in Subsection A.5.b of this section, vacation home rental owners shall provide approved bear-resistant garbage can enclosures. The owner of the vacation home rental shall require occupants and/or cleaning personnel to deposit all trash and refuse in the containers without exception. The selection, use, and maintenance of approved enclosures shall be consistent with the provisions of Sections 8.76.020, 8.76.030, and 8.76.040. Any violations for noncompliance to the bear-resistant garbage can enclosure requirements of Chapter 8.76 are a violation subject to penalty as per the provisions of this chapter;
 - b. Notwithstanding Subsection A.5.a of this section, the property owner may be exempted from the requirements of Subsection A.5.a of this section to provide bear-resistant garbage can enclosures upon certification by the property owner or the owner's agent that independent garbage collection and disposal measures are sufficient to mitigate bear or wildlife access. Any failure to adhere to the requirements of Chapters 8.42 and 8.76 will result in revocation of the exemption;
 - c. Exemption revocation. Upon revocation of the exemption, the vacation home rental shall be subject to the requirements of Subsection A.5.a of this section. Failure to comply with the bear-resistant garbage can enclosure requirement within 30 days of the exemption revocation date shall constitute a violation of this chapter. Continuing noncompliance shall constitute an additional violation for each week beyond the initial 30-day period;
6. The owner of the vacation home rental shall use best efforts to achieve compliance by the occupants with all the snow removal provisions of Sections 10.12.170 and 10.12.184;

7. The owner of the vacation home rental shall post a copy of the permit and a copy of the conditions set forth in this section in a conspicuous place within the vacation home rental.
8. The owner and/or operator shall include in all advertisements soliciting for guests the unique Transient Occupancy Registration Certificate number, (Permit #) for each location solicited. When in writing whether in print or via internet, this "Permit number" shall be displayed prominently and shall be included in all detail pages of the advertisement that indicate the property's amenities, price and photo(s).

B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.

(Code 1997, § 5.56.090; Ord. No. 4826, 9-25-2009, Ord. No. xxxx, 5- -2016)

Sec. 5.56.100. - Sign and notification requirements.

Each vacation home rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. The name of the managing agency, agent, property manager, local contact or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;
- B. The maximum number of occupants permitted to stay in the unit;
- C. The maximum number of vehicles allowed to be parked on the property;
- D. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;
- E. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- F. Notification that an occupant, as a person responsible for an event, may be cited and fined for creating a disturbance or for violating other provisions of this chapter;
- G. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this chapter; and
- H. Notification if the source of drinking water at the vacation home rental is not a public water system.
- I. Notification that the use of outdoor spa or hot tub is prohibited after 10:00 p.m. and before 8:00 a.m.

(Code 1997, § 5.56.100; Ord. No. 4826, 9-25-2009, Ord. No. xxxx, 5- -2016)

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Section 2. This ordinance shall take effect and shall become effective thirty (30) days following the adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2016 by the following vote of said Board:

Ayes:

Noes:

Absent:

ATTEST

JAMES S. MITRISIN

Clerk of the Board of Supervisors

By _____

Deputy Clerk

Chair, Board of Supervisors

APPROVED AS TO FORM

MICHAEL J. CICCOZZI, County Counsel

By _____

Judith M. Kerr,

Principal Assistant County Counsel

I CERTIFY THAT:

The foregoing instrument is a correct copy of the original on file in this office

Date _____

ATTEST: JAMES S. MITRISIN,

Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____

Deputy Clerk