



## Legislation Details (With Text)

**File #:** 16-0347      **Version:** 3

**Type:** Agenda Item      **Status:** Approved

**File created:** 3/29/2016      **In control:** Board of Supervisors

**On agenda:** 6/28/2016      **Final action:** 6/28/2016

**Title:** Treasurer/Tax Collector recommending the Board approve Final Passage (Second Reading) of Ordinance 5039 amending Chapter 5.56 of the El Dorado County Ordinance Code pertaining to Vacation Home Rentals in the Lake Tahoe Basin, regarding requirements for advertisements, and use of outdoor spas and hot tubs. (Cont. 6/14/16, Item 36)

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Blue Routing Sheet 6-14-16, 2. 2B - Ordinance Summary 6-14-16, 3. 2C - Ordinance 6-14-16, 4. 2D - Ordinance Revision - Redline 6-14-16, 5. Executed Ordinance 5039, 6. A - Ord Chapter 5.56 Proposed Amendments 04-19-16

Date	Ver.	Action By	Action	Result
6/28/2016	3	Board of Supervisors	Approved	Pass
6/14/2016	2	Board of Supervisors	Approved	Pass
4/19/2016	1	Board of Supervisors	Approved	Pass

Treasurer/Tax Collector recommending the Board approve **Final Passage** (Second Reading) of Ordinance **5039** amending Chapter 5.56 of the El Dorado County Ordinance Code pertaining to Vacation Home Rentals in the Lake Tahoe Basin, regarding requirements for advertisements, and use of outdoor spas and hot tubs. (Cont. 6/14/16, Item 36)

**FUNDING:** N/A

**DEPARTMENT RECOMMENDATION**

At their meeting of June 14, 2016 (Item 36) the Board approved Ordinance 5039 and set a public hearing for final passage (Second Reading) on June 28, 2016. Treasurer/Tax Collector recommending the Board consider for First Reading an Ordinance **5039** to amend Chapter 5.56 of the El Dorado County Ordinance Code pertaining to Vacation Home Rentals in the Lake Tahoe Basin, regarding requirements for advertisements, and use of outdoor spas and hot tubs; and waive full reading of and continue Ordinance **5039** to June 28, 2016 for Final Passage (Second Reading).

Pursuant to Board Policy A-3, Ordinances - New or Amended, the Board provided conceptual approval on April 19, 2016 to amend the Ordinance.

**DISCUSSION / BACKGROUND**

On April 19, 2016 (Item 34) the Board of Supervisors authorized the department to prepare amendments to the County of El Dorado's Ordinance Code Chapter 5.56 - Vacation Home Rentals in the Lake Tahoe Basin, to include requirements for advertisements and restrictions, signage and notification requirements on the use of outdoor spas and hot tubs.

Chapter 5.56 of the County Ordinance Code establishes requirements, regulations and standards for vacation home rentals in the Lake Tahoe Basin. The proposed amendments to this chapter include a requirement that Transient Occupancy Tax (TOT) permit numbers be prominently displayed on all advertisements for vacation home rentals. The inclusion of the TOT permit number on advertisements will allow the Treasurer/Tax Collector to more efficiently audit and ensure payment of all permits and taxes

The proposed amendments to the ordinance also include a restriction on the hours of usage for outdoor spas and hot tubs (Section 5.56.090 - Permit conditions), and a requirement to include posting of this restriction (Section 5.56.100 - Sign and notification requirements). The restriction in hours of usage for outdoor spas and hot tubs is proposed to minimize unreasonable noise and disturbances and reduce the number complaints from permanent residents.

No additional cost is anticipated to enforce the proposed advertising requirement. The new requirement to include the TOT permit number in all advertisements should reduce time spent as it will assist staff in expediting the searches being performed.

The Treasurer/Tax Collector's office will be responsible for administering and enforcing this ordinance.

The Sheriff's Department will be affected by this ordinance. When Sheriff deputies are called to respond to complaints, they prepare a report and forward a copy of it to the Treasurer/Tax Collector's office, who investigates the incident by contacting all parties, including owners, renters, agents and complainant.

### **ALTERNATIVES**

The Board may choose not to approve the proposed ordinance amendments or may provide alternative direction to staff.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

The department has conferred with the Sheriff's Department and they support the proposed amendments. County Counsel has reviewed and approved the amended ordinance as to form.

### **CAO RECOMMENDATION**

The Chief Administrative Office concurs with the recommendation.

### **FINANCIAL IMPACT**

There is no fiscal impact or change to Net County Cost associated with this item. However, it is believed that the addition of the permit number in advertisements may result in increased collections of TOT revenue and that the notifications of the outside spas and hot tubs may help to reduce the number of noise complaints filed with the Sheriff's Department as it will allow for a visual reminder being posted within each rental location.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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