

CITY OF LAVA HOT SPRINGS, IDAHO
ORDINANCE NO. 2026-005

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO, SETTING FORTH CERTAIN HEALTH, SAFETY, AND WELFARE REQUIREMENTS WITH RESPECT TO SHORT TERM RENTALS WITHIN CITY LIMITS, INCLUDING SMOKE ALARMS, FIRE EXTINGUISHERS, ESCAPE LADDERS, AND OCCUPANCY LIMITS; ESTABLISHING PENALTIES FOR NON-COMPLIANCE, REPEALING PRIOR CONFLICTING ORDINANCES; AND CONTAINING ADMINISTRATIVE PROVISIONS RELATED TO PASSAGE AND EFFECTIVE DATE OF THE ORDINANCE

WHEREAS, the City of Lava Hot Springs, Idaho, previously adopted Ordinance 2025-08, which established various regulations with respect to short term rentals within the City; and

WHEREAS, subsequent to the adoption of Ordinance 2025-08, the Idaho legislature adopted certain changes to Idaho Code § 67-6539, the effect of which curtailed a City's ability to regulate short term rentals by local ordinance, with said changes slated to take effect as of July 1, 2026; and

WHEREAS, the City, in the interest of the health, safety, and welfare of City residents and visitors to the City, finds it desirable and necessary to enact such local ordinance regulations with respect to short term rentals as are currently allowed by state law;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO AS FOLLOWS:

Section 1. Repeal of Previous Ordinance Lava City Ordinance 2025-08 shall be repealed.

Section 2. Adoption of New Short Term Rental Ordinance The City hereby adopts a new short term rental ordinance, which will be codified in Title 3, Chapter 5, of the Lava City municipal ordinances, as follows:

Title 3 - Chapter 5: Short Term Rentals

- 03.05.010 Title
- 03.05.020 Definitions
- 03.05.030 Short Term Rental Regulations
- 03.05.040 Enforcement and Penalties

03.05.010 Title

This chapter shall be known and may be cited as the Short Term Rental Ordinance of the City of Lava Hot Springs.

03.05.020 Definitions

For the purposes of this chapter, the term "short term rental" means any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, or owner-occupied residential home that is offered for a fee and for thirty (30) days or less. Short-term rental does not include a unit that is used for any retail, restaurant, banquet space, event center or another similar use.

03.05.030 Short Term Rental Regulations

All short term rentals operating within City limits shall abide by the following regulations:

- (a) All sleeping areas in a short term rental, including when applicable, basements, living rooms, and family rooms, shall be equipped with functioning smoke alarms;
- (b) All short term rentals shall be equipped with a functioning fire extinguisher and a functioning carbon monoxide detector on each floor;
- (c) Removable escape ladders shall be available in all sleeping areas that have one or more windows located above the ground floor;
- (d) Maximum occupancy limits for short term rentals shall not exceed those non-transient residential limits as contained in the international building codes as adopted by the Idaho building code board;
- (e) All short term rentals shall have an easily accessible informational handout available to tenants describing the location of exits, the location of fire extinguishers, the location of any supplied first aid kits, and a phone number to contact the owner or manager of the short term rental in the case of an emergency; and
- (f) All short term rental properties, along with their owners and tenants, shall be subject to all other city ordinances and penalties that apply to other non-short term rental residential uses, including but not limited to noise, parking, nuisance, curfew, and traffic regulations and ordinances.

03.05.030 Enforcement and Penalties

Initial violations shall receive a written warning and must be remedied within ten (10) calendar days. A second violation occurring within any twelve (12) month period shall be subject to a fine of \$500 per violation and must be remedied within

SUMMARY OF ORDINANCE No. 2026-005

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This ordinance was adopted by the City Council and approved by the Mayor on the 14th day of May 2026 and becomes effective upon publication. The full text of the ordinance is available at Lava Hot Springs City Hall, 115 Elm Street, Lava Hot Springs, ID 83246.

___s/ Amantha Sierra___
City Clerk

STATEMENT OF CITY ATTORNEY

I hereby certify that the foregoing summary is a true and complete summary of **Ordinance No. 2026-005** of the City of Lava Hot Springs, Idaho, and provides adequate notice to the public.

Dated this 14th day of May, 2026.

s/ Lyle J. Fuller _____

Lyle J. Fuller
City Attorney