



PLANNING DEPARTMENT
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Memo

To: Mayor and the City Council

From: Rodney Burch, City Planner

Date: July 6, 2025

Re: Short Term Rental's

Mayor / Council,

Our team has developed a comprehensive framework to regulate short-term rentals (STRs) within city boundaries.

The goal is to establish clear, enforceable standards that support residential character while allowing responsible STR operation.

This effort draws on local housing data and aligns with city needs.

Sincerely,

A handwritten signature in blue ink that reads "Rodney Burch".

Short Term Rental's permit and Business License's:

In Idaho, short-term rental regulation is primarily managed at the local level, with cities like Boise, McCall, and Coeur d'Alene requiring both STR permits and business licenses. These licenses are typically annual and require property owners to meet specific criteria to qualify. Common requirements include completing an application with property details, ensuring safety measures such as smoke detectors and fire extinguishers are in place, providing proof of liability insurance, identifying a local representative for property management, and verifying compliance with zoning laws and HOA restrictions. Many cities also require tax registration for state and local lodging taxes. These safeguards aim to promote responsible hosting while maintaining neighborhood stability and public trust.

Many of these cities have fines and penalties in place if they do not meet inspection or operate without a permit some examples are listed below.

Boise: Charges \$100 per day for operating an STR without the required license.

Coeur d'Alene: A second violation can result in a misdemeanor citation, with fines up to \$1,000 and/or six months imprisonment.

Ketchum & McCall: While specific fine amounts aren't always published, both cities conduct inspections and may revoke permits for repeated violations.

Common Violations That Trigger Penalties

- Operating without a valid STR permit or business license
- Failing to meet safety standards (e.g. missing smoke detectors or fire extinguishers)
- Not registering for required taxes
- Ignoring occupancy limits or zoning restrictions
- Failing to respond to complaints or maintain a local representative

Owner Occupied / Management:

In Idaho, owner-occupied short-term rentals (STRs) are broadly permitted across all zoning types due to state-level protections that limit local governments from imposing outright bans. Under Idaho Code § 67-6539, cities and counties may not enact ordinances that have the express or practical effect of prohibiting STRs, including owner-occupied units. This legal framework was reinforced by a 2025 Idaho Supreme Court ruling, which invalidated a city ordinance that selectively banned non-owner-occupied STRs in residential zones, affirming that all categories of STRs—including owner-occupied—must be allowed statewide. While municipalities retain the authority to regulate health, safety,

and welfare, they cannot exclude owner-occupied STRs from any zoning district. For example, Sandpoint permits unlimited owner-occupied STRs in residential zones, provided the property qualifies for a homeowner's exemption through the county assessor. This statewide approach reflects Idaho's commitment to property rights and supports a growing STR market, which contributes to local tourism and economic diversification.

In Idaho, some local jurisdictions require that short-term rentals (STRs) have a designated manager or contact person available 24/7 within a certain distance—often within 20 miles of the rental property. This requirement is typically part of municipal, or county-level ordinances aimed at ensuring rapid response to complaints, emergencies, or code violations.

Examples of Local Implementation:

- McCall, ID: Property management companies like Done Right Management assign a Designated Territory Manager to each STR, ensuring 24/7 availability and local presence. This helps maintain guest satisfaction and neighborhood harmony.
- Boise, ID: Companies such as Host Boise offer full-service management with local staff who conduct regular inspections and provide 24/7 guest support, aligning with city expectations for responsiveness.

Number of Unit Regulation:

Several Idaho cities have adopted caps and parcel-based limits on short-term rentals to protect housing availability and neighborhood character. In Sandpoint, non-owner-occupied STRs in residential zones are capped at 35 permits, with only one STR allowed per parcel. Other cities like Ketchum and McCall also enforce restrictions—Ketchum requires permits and limits STRs in certain zones, while McCall uses density controls and local option taxes to manage saturation. These local policies reflect Idaho's decentralized approach, where municipalities can regulate STRs for health and safety, even though state law prohibits outright bans. By limiting the number of units or setting percentage thresholds, cities aim to balance tourism with long-term community stability.

For Example, if we were to cap Lava Hot Springs at 13%:

Total Housing Units: 197

- 13% Cap: $197 \times 0.13 = 25.6$ units → round to 26 STR licenses allowed citywide

Current STR Snapshot

- Licensed STRs: 29
- Estimated Unlicensed STRs: 5+
- Total Estimated STRs: ~34+

So, under a 13% cap:

- The city is already over by ~8 STRs
- You'd need a transition plan to reduce or reallocate licenses

Implementation Ideas

- Grandfather Clause: Allow current licensed STRs to continue but prohibit new licenses until the number drops below 26.
- Waitlist System: Applicants go on a waitlist; licenses are issued only when one is relinquished.
- Priority Criteria: Favor owner-occupied units, local operators, or those with strong compliance records.
- Annual Review: Adjust the cap if housing stock increases or community impacts shift.

Health and Safety:

In Idaho, short-term rentals (STRs) must meet specific fire and safety requirements to ensure guest protection and neighborhood safety. Most municipalities—including Coeur d'Alene, Boise, and Ketchum—require STR operators to install smoke detectors, carbon monoxide detectors, and fire extinguishers on each floor. A Fire Safety Plan is often mandatory, detailing emergency exits, utility shut offs and contact information for a local representative available 24/7. Cities like Ketchum also require operable bedroom windows for emergency egress and annual inspections of fire equipment. STR permits typically won't be approved or renewed without documented compliance, and some cities post these safety plans inside the rental for guest awareness. These measures help maintain safe conditions while supporting responsible STR growth across Idaho.

Common STR Regulation Examples

Occupancy Limits:

- Restrict guests to 2 people per bedroom, plus a few additional occupants (e.g., max 6–8 total).
- Helps prevent overcrowding and excessive wear on infrastructure.

Parking Requirements:

- Require off-street parking for all guest vehicles.
- Limit on-street parking to avoid congestion and preserve emergency access.

Sanitation Standards:

- Mandate trash removal plans, including secure bins and scheduled pickups.
- Require septic system verification in rural areas to prevent overuse.

Noise Controls:

- Enforce quiet hours (e.g., 10 PM to 7 AM).
- Require signage inside the rental reminding guests of local noise ordinances.

Fire & Safety Compliance:

- Smoke and CO detectors, fire extinguishers, and clear emergency exit routes.
- Some cities require a posted safety plan and annual self-inspection checklist.

Local Contact Availability:

- Require a manager or responsible party within 20 miles, available 24/7 to respond to complaints or emergencies.

Licensing & Registration:

- Annual permit with renewal fees.
- Proof of insurance and compliance with zoning and building codes.

Density or Saturation Limits:

- Cap STRs at a percentage of housing units per zone or neighborhood.
- Limit one STR per parcel to prevent multi-unit saturation.

These types of regulations are already in place in cities like Sandpoint, Ketchum, McCall, and Boise, each tailoring them to local needs.

Idaho Cities Short Term Rentals Agreements

Idaho Resort Cities	Permit Required	Other Idaho Cities	Permit Required
Donnelly	Business License	Boise	Short- term Rental License
Driggs	Short Term Rental Permit	Idaho Falls	Business License
Kellogg	Short Term Rental Permit Municipal Non-Property Tax Permit	Moscow	Short-term Rental License
Ketchum	Short Term Rental Permit	Pocatello	Short Term Rental Permit Business License
McCall	Short Term Rental Permit	Twin Falls	Short Term Rental License
Sandpoint	Short Term Rental Permit	Coeur D Alene	Short Term Rental Permit
Sun Valley	Short Term Rental Permit Business License	Island Park	Business License
Victor	Business License	Meridian	Business License
		Rexburg	Conditional Use Permit Business License

Donnelly: Short-term rentals are allowed in all residential zones in Donnelly and require a business license. To operate, hosts must submit a complete application including a site plan, operational plan, proof of tax compliance, utility connections, house rules, and a garbage pickup agreement. Only one STR unit is allowed per parcel, with a maximum occupancy of 4 people per bedroom, up to 12 total. On-site parking is mandatory, and events like weddings require a conditional use permit. Quiet hours are from 10:00 PM to 7:00 AM, and safety equipment such as smoke and carbon monoxide detectors is required. STR licenses must be renewed annually by August 31st, and the city may inspect properties. Non-compliance can result in license revocation.

Driggs: Short-term rentals are allowed in Driggs, but operators must obtain a Short-Term Rental Permit, which is valid for one year and must be renewed annually by March 1st. The initial permit fee is \$80, with a \$50 renewal fee. Hosts are required to collect and remit 6% state sales tax, 2% state lodging tax, and 6% Driggs lodging tax. To qualify, properties must

have garbage service, a local representative within 20 miles, and a valid STR permit posted on-site. The application must include property details, contact information, and payment. Safety inspections may be required. Permits are non-transferable, and an annual tax report is mandatory. Non-compliance can result in fines or permit revocation

Kellogg: Short-term rentals are explicitly allowed in Kellogg and are governed by a specific ordinance (Chapter 17). Operators must obtain both a Short-Term Rental Operator Permit and a Municipal Non-Property Tax Permit, with annual renewal required by September 30. While the initial application fee was waived in 2015 for existing properties, renewal fees still apply. Key requirements include compliance with housing and safety standards, maintaining property cleanliness, and displaying the permit number at the rental property. Hosts must collect and remit 6% Idaho State Sales Tax and 2% Idaho Travel and Convention Tax, which apply to the total guest payment, including cleaning and service fees.

Ketchum: Short-term rentals are permitted in Ketchum but are subject to Ordinance #1230, which includes detailed requirements. A Short-Term Rental Permit is mandatory, costs \$504, and must be renewed annually. STRs are not allowed in Light Industrial zones, and only one STR per parcel is permitted in residential zones, with a minimum two-night stay required. Hosts must submit a Declaration of Compliance, a Fire Life Safety Plan, and provide contact information for a local representative within 20 miles. Safety requirements include smoke and carbon monoxide detectors, fire extinguishers, and emergency egress windows. Quiet hours are enforced from 10:00 PM to 8:00 AM, and high-occupancy rentals (20+ guests) require a conditional use permit. Properties in Avalanche Zones face seasonal restrictions unless engineered for safety. STR operators must comply with a 1% Local Option Tax, and platforms like Airbnb and VRBO typically handle tax collection. Violations can lead to warnings, fines, or permit revocation

McCall: Short-term rentals are allowed in McCall but must comply with detailed regulations. All STRs within city limits are required to obtain a Short-Term Rental Permit with an application fee of \$225, and permits must be renewed annually by December 31st. A Fire, Health, and Safety Inspection is mandatory each year, costing \$270 for the initial and one follow-up inspection. Operators must submit a floor plan, site plan (showing parking), local contact information, and proof of solid waste service. Occupancy is limited to 2 persons per bedroom plus 2 additional guests, with a maximum of 10 people unless a Conditional Use Permit is obtained. STR guidelines must be posted visibly in the unit. McCall imposes a 7% local option tax on STRs, which includes lodging and sales taxes. Quiet hours are enforced from 10:00 PM to 8:00 AM, and each STR must have a separate

permit. Platforms like Airbnb may collect taxes automatically, but hosts are still responsible for compliance.

Sandpoint: Short-term rentals are allowed in Sandpoint in both residential and commercial zones, but a valid permit is required. In residential zones, only one STR is allowed per parcel, and there is a citywide cap of 35 non-owner-occupied STR permits. If the cap is reached, applicants are placed on a waiting list. For non-owner-occupied STRs, neighbor notification is required for properties within 200 feet. Applicants must verify zoning compliance, submit proof of ownership, and meet local safety and occupancy standards. Inspections may be required - The city provides market insights, including an average daily rate of \$226, occupancy rate of 39%, and monthly revenue of around \$1,982. Regulations are subject to change, so hosts are advised to consult the City Planning Department for the most current requirements.

Sun Valley: Short-term rentals are permitted in Sun Valley but are subject to specific regulations. Operators must obtain a Business License, a Short-Term Rental Permit, and register for Occupancy Tax. Required documentation includes proof of property ownership or a rental agreement and compliance with local zoning laws. Key regulations cover occupancy limits, parking, noise control, waste management, and fire and safety compliance. Properties must pass initial and periodic inspections. Hosts are responsible for collecting and remitting applicable lodging taxes and ensuring guests are informed of local rules. For the most accurate and up-to-date requirements, hosts are encouraged to contact Sun Valley City Hall or consult a local real estate attorney.

Victor: Short-term rentals are allowed in Victor, but the city is actively working to improve compliance and oversight. As of late 2024, only a fraction of active STRs had valid business licenses. To operate legally, hosts must obtain a Business License (initial cost: \$100, renewal: \$50/year) for any rental under 30 days. Operators must also register for state and local tax collection, including:

6% State Sales Tax

2% State Lodging Tax

6% Victor Lodging Tax

Additional requirements include: A local representative within 20 miles Garbage service STR permit displayed on-site An annual report detailing number of stays and tax collection. Victor is developing a more robust regulatory framework, so hosts are encouraged to consult the City Clerk and review the city's comprehensive plan and zoning ordinances for the most current requirements.

Boise: Short-term rentals are explicitly permitted in Boise, Idaho, under a regulatory framework established by the city. As of May 1, 2022, all operators must obtain a short-term rental license, which costs \$80 annually plus a small processing fee. Applicants must provide detailed information including property details, safety equipment inventory, proof of at least \$1 million in liability insurance, and designate a local representative who lives within 20 miles of Boise. Rentals are limited to stays of 30 days or less. Non-compliance can lead to penalties such as license suspension or revocation.

Idaho Falls: Short-term rentals (STRs) are permitted in Idaho Falls and are regulated to ensure safety and neighborhood integrity. Property owners must obtain a business license and provide proof of at least \$1 million in liability insurance. Applications must include property and contact details, safety equipment inventory, and designate a local representative within 20 miles of the city. Idaho law prohibits cities from banning STRs but allows them to enforce reasonable regulations. Hosts are also responsible for collecting and remitting applicable state and local taxes.

Moscow: Short-term rentals are permitted in Moscow, Idaho, and are influenced by the University of Idaho's academic calendar and local events. All STR properties must be licensed annually and pass a city inspection. Zoning laws may restrict where rentals can operate, so hosts should verify compliance before starting. Rentals are limited to six unrelated occupants per property. Hosts must collect and remit Idaho's 8% sales tax and 2% travel and convention tax. Key steps include securing a license, passing inspection, and registering for tax collection.

Pocatello: Short-term rentals are permitted in Pocatello, Idaho, but hosts must follow specific regulations. To operate legally, property owners must obtain a business license, register the rental with the city, and comply with zoning and safety standards. The application process includes submitting proof of ownership, a floor or site plan, insurance documentation, and safety compliance records. Regulations cover occupancy limits, parking, noise, and waste management.

Twin Falls: Short-term rentals (STRs) are allowed in Twin Falls, Idaho, and are protected under state law, which prohibits cities and counties from banning them. While specific local regulations for Twin Falls aren't detailed, hosts should expect to follow general best practices similar to those in other Idaho cities. These include obtaining a business license, securing liability insurance (recommended minimum of \$1 million), installing safety equipment like smoke and carbon monoxide detectors, and complying with any local zoning or occupancy rules. Hosts must also collect and remit applicable state and local taxes.

Coeur d'Alene: Short-term rentals (STRs) are legal in Coeur d'Alene, Idaho, but require a city-issued permit and adherence to specific regulations. The initial permit costs \$285, with annual renewals at \$180. Hosts must apply online via cdaid.org/License, submit required documentation, and meet safety standards including smoke and CO detectors, fire extinguishers, and emergency plans. Only one STR unit is allowed per parcel, and a 24/7 responsible party must be available to resolve issues within 60 minutes. Non-compliance can result in a \$1,000 fine.

Island Park: Short-term rentals (STRs) are permitted in Island Park, Idaho, but require compliance with local zoning laws and permitting processes. Property owners must verify zoning compatibility, submit a Transient Rental Use Application, register their business, and provide documentation such as proof of ownership, insurance, and safety compliance. Regulations include occupancy limits, noise restrictions, and bans on additional tents or RVs. Safety measures like smoke detectors, fire extinguishers, and bear-aware practices are mandatory.

Meridian: Short-term rentals (STRs) are legal in Meridian, Idaho, and protected under state law, which prohibits cities from banning them. While Meridian does not have a dedicated STR ordinance, property owners must comply with general zoning and business licensing requirements. Key steps include verifying zoning compliance, obtaining a business license, registering the rental, and ensuring safety measures like smoke alarms and fire extinguishers are in place.

Rexburg: Short-term rentals (STRs) are legal in Rexburg, Idaho, but are regulated through zoning and permitting requirements. STRs are allowed in medium- and high-density zones with a Conditional Use Permit, while they are generally not permitted in low-density residential zones. To operate legally, hosts must apply for a Conditional Use Permit, register their business, and meet safety and structural standards, including proper egress, smoke and CO detectors, and adequate parking (two spaces for the house plus one per rented room). A life safety inspection is also required.

Driggs, Idaho Code

CHAPTER 5. - SHORT-TERM RENTAL OF DWELLING UNITS

3-5-1. - Purpose.

The purpose of this chapter is to protect the integrity and safety of the city's residential neighborhoods and preserve private property rights by regulating all short-term rentals of dwelling units to safeguard the health, safety, welfare, and peaceful enjoyment of short-term rental occupants and that of neighboring residents.

(Ord. 423-21, 6-1-2021)

3-5-2. - Definitions.

The following terms shall apply to this chapter as written unless context indicates or requires a different meaning:

Annual report: A report required to be submitted on an annual basis upon application for permit renewal, providing data requested by the city clerk for the previous annual period. Such report may include total person nights, total tax collected and remitted, either directly or through a broker, and other data as may reasonably be requested from time to time by the city.

Local representative: An area property manager, owner, or agent of the owner, who is readily available to respond to tenant, neighborhood, or city questions or concerns.

Owner: The person or entity that holds legal and/or equitable title to the private property. The owner may act through an agent or property manager, but the owner shall remain responsible for compliance with these provisions.

Owner occupied: Where the owner of a dwelling unit resides on the parcel for a minimum of six months out of a calendar year. Homeowner occupied tax exempt status shall be considered to be proof of homeowner occupied status for the purposes of this code.

Short-term rental: The use of a dwelling unit, or a portion thereof which is rented for the purpose of overnight lodging for a period of 30 days or less. Short-term rentals are also commonly referred to as vacation homes, tourist homes, bed and breakfast establishments or vacation rentals.

(Ord. 423-21, 6-1-2021)

3-5-3. - Requirements.

- A. No person shall occupy, use, operate or manage, nor offer or negotiate to use, lease or rent a dwelling unit for short-term rental occupancy within the city without obtaining a short-term rental permit issued by the city.
- B. Permits for short-term rentals are allowed within the city subject to all provisions of this chapter.
- C. *Municipal non-property sales tax.* Compliance with the requirements of municipal non-property sales tax, title 3, chapter 2, of this title is required.
- D. *Annual reports.* Short-term rental owners shall file an annual report with the clerk, no later than the 15th day of the month following expiration of the short-term rental permit, or such alternate date as established by the clerk which falls after the 15th day of the month following expiration. Failure to file required reports when notified that they are required constitutes a violation pursuant to section 3-5-5 in this chapter.
- E. *Garbage service required.* All short-term rentals are required to obtain and maintain garbage service for the duration of their operation. Removal of waste must occur no less frequently than bi-weekly, and utilize a container no larger than 96 gallons. Units which demonstrate access to onsite community waste receptacles, such as is common in condominium or apartment complexes are considered compliant. Upon review other alternatives may be considered acceptable. Garbage containers must be stored in an area secured from bear or other animal intrusion and from view of neighboring properties and the street when not placed for pickup service. Failure to maintain garbage service in accordance with this paragraph, or containers left on the street for more than 24 hours after pickup shall constitute a violation pursuant to section 3-5-5 in this chapter.

(Ord. 423-21, 6-1-2021)

3-5-4. - Standards.

A short-term rental shall comply with the following standards:

A. *Permit.*

1. Commencing on the effective date hereof, any person who is permitted to engage in the rental of a dwelling for short-term occupancy shall have obtained a short-term rental permit. Application for such a permit shall be made upon suitable forms furnished by the city. The permit is valid for one calendar year, or portion thereof, and must be renewed annually. Renewal of the permit requires the submission of a complete permit renewal application and designated fee. An annual report for the previous annual period will be required as part of the renewal application. If a complete renewal application and

applicable fees have not been received by the city on the annual renewal date, the short-term rental shall be conclusively presumed to be discontinued and the city shall revoke the short-term rental permit without further notice required.

2. A short-term rental permit is issued to a specific owner of a dwelling unit. The short-term rental permit shall be revoked when the permit holder sells or transfers the real property. For purposes of this section, "sale or transfer" shall mean any change of ownership during the lifetime of the permit holder or after the death of the permit holder whether there is consideration or not except a change in ownership where title is held in survivorship with a spouse or child or transfers on the owner's death to a trust which benefits only a spouse or child. A permit holder may transfer ownership of the real property to: a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity and not be subject to permit revocation pursuant to this section so long as the transferor lives and remains the only owner of the entity. When the permit holder sells or transfers the real property, the new owner shall apply for and receive a short-term rental permit before using the dwelling as a short-term rental.

B. *Issuance.* The issuance of a short-term rental permit shall be subject to the following requirements:

1. *Inspection.*
 - a. At the time of application for a new short-term rental permit, the dwelling unit shall be subject to inspection by the city building official or their designee. Prior to the issuance of the short-term rental permit, the owner of the dwelling unit shall make all necessary alterations to the dwelling required by the building official pursuant to the requirements of this chapter.
 - b. Every three years from the approval date of the initial application, applicants or their designee shall be required to submit a statement affirming compliance with the standards set forth in this chapter by completing a city provided self-inspection checklist.
 - c. The city may choose to physically reinspect any property at any time if it reasonably believes that it is not maintaining compliance with these requirements.
2. Bedroom windows shall be operable to allow for emergency egress. All emergency escape windows shall have a minimum five and seven-tenths square foot net opening with a maximum sill height of 44 inches.
3. Single or multiple-station smoke alarms shall be installed and maintained in accordance with manufacturers specification:
 - a.

On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

- b. In each room used for sleeping purposes.
 - c. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
4. A carbon monoxide (CO) detector is required on each floor if: there is a garage, solid fuel appliance or gas appliance.
5. The short-term rental shall be equipped with one 2A:10BC type extinguisher. Fire extinguishers(s) shall be mounted in visible locations with the tops of the fire extinguishers mounted between three and five feet above the floor, and shall be accessible to occupants at all times.
6. No recreational vehicle, travel trailer, tent or other temporary shelter shall be used as a short-term rental. Only buildings meeting safety and inspection requirements under building codes recognized by the city may be used.
7. *Local representative.*
 - a. Each short-term rental shall list a local representative including their phone number, who permanently resides within 20 vehicular miles of Driggs city limits.
 - b. If the police department is not able to contact the local representative in a timely manner more than twice during the term of the annual permit, this shall be considered a violation pursuant to section 3-5-5 of this chapter.
 - c. The designated local representative may be changed by the permit holder from time to time throughout the term of the permit. However, to change the local representative, the permit holder must file a revised permit application that includes the name, address and telephone number of the new local representative. Failure to notify the city of a change in the local representative constitutes a violation pursuant to section 3-5-5 of this chapter.
8. Applicants with a history of previous violations may be barred from receiving a permit.
9. *Permit posting.* The short-term rental permit shall be posted in a conspicuous place on the premises. Posting of the short-term rental permit number issued by the clerk must be posted on any internet websites, services, or social media which are used to promote the rental. Failure to post as required constitutes a violation as stated in section 3-5-5 of this chapter. At a minimum, the permit will contain the following information:
 - a.

The name of the local representative and a telephone number where the representative may be reached;

- b. The telephone number and website address of the City of Driggs and the Teton County Sheriff department;
- c. The maximum number of occupants permitted to stay in the dwelling;
- d. The maximum number of off-street parking spaces allowed for the dwelling;
- e. The maximum number of on-street parking spaces allowed.

(Ord. 423-21, 6-1-2021)

3-5-5. - Violation; infraction; penalty.

The following conduct shall constitute a violation for which the penalties and sanctions specified in this section may be imposed:

A. *Violations.*

- 1. The tenants of the dwelling have created noise, disturbances, or nuisances, in violation of this code, or violations of state law pertaining to the consumption of alcohol, or the use of illegal drugs, or have disrupted the peaceful enjoyment of neighbors. Each incident shall be counted as a separate violation, even within the same day.
- 2. The owner has failed to comply with the standards of section 3-5-3 or 3-5-4 of this chapter. Each day of non-compliance shall be considered a separate violation.

B. *Penalties.*

- 1. For the first two violations within a 12-month period, the sanction shall be a warning notice.
- 2. For the third violation within a 12-month period, the sanction shall be a revocation of the permit.

C. *Written notice.* The city shall provide the permit holder with a written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative as well as the owner. First-class mailing by United States Postal Service shall constitute adequate notice. Email shall also constitute adequate notice, provided the email doesn't 'bounce' or is otherwise returned undeliverable within 24 hours of sending.

D. *Appeal of suspension or revocation.* Pursuant to this section, the city shall provide the permit holder with a written notice of the permit suspension or revocation and the reasons therefore. The permit holder may appeal the suspension or revocation according to section 1-4A-4.G of this Code.

E. *Application for permit after revocation.* A person who has had a short-term rental permit revoked shall not be permitted to apply for a subsequent short-term rental permit for a period of two years from the date of revocation.

- F. *Infraction.* Unless otherwise provided, any person who shall commence or continue to operate a short-term rental for which a valid permit is required by any provision of this title without first procuring the same shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined according to chapter 1-4A, General Penalties, of this Code.
- G. An advertisement promoting the availability of short-term rental property in violation of city code is prima facie evidence of a violation and may be grounds for denial, suppression or revocation of a license.

Other evidence of the operation of a residential short-term rental without a valid permit number may include, but is not limited to: guest testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by a guest.

(Ord. 423-21, 6-1-2021)

McCall, Idaho Code

3.13.09: STANDARDS FOR DWELLING, SHORT-TERM RENTALS:

(A) Purposes: The purposes of these requirements for a Short-Term Rental Dwelling are:

1. To ensure that the use of Short-Term Rental Dwellings have no greater impacts than would be created by long-term residential occupancy of the Dwelling;
2. To protect the health, safety and general welfare of occupants of Short-Term Rental Dwellings and the surrounding property owners through an inspection of Short-Term Rental Dwelling structures in compliance with MCC Title 2 and the applicable codes referenced therein; and
3. To protect the rights of property owners adjacent to Short-Term Rental Dwellings to a quiet, safe and neighborly environment free from nuisances that would not exist or would be less intensive but for the use of a Dwelling as a Short-Term Rental.

(B) Permit Required: Prior to advertising or operating a Dwelling as a Short-Term Rental, any property owner or property manager who leases, rents or otherwise makes available for compensation a Short-Term Rental Dwelling, such property owner or manager must first obtain a Short-Term Rental Permit pursuant to MCC Title 4.

(C) Standards: All Dwelling Short-Term Rentals shall comply with the following requirements:

1. Access: Owners shall maintain access to the property and structures that is safe and free from obstructions for pedestrians and vehicles and shall be adequately sized and designed so that access to other properties is not impacted nor are unsafe conditions on public streets created contrary to the standards adopted by the McCall Fire District and the City Council.

2. Parking: All parking for the unit is contained on the site, not more than one (1) parking space per bedroom is provided, all trailers and vehicles shall be parked on an improved surfaced area and shall not allow parking on the public right-of way.

3. Occupancy: Short-Term Rentals shall contain no more than two (2) persons per bedroom, plus two additional persons, as identified in the Short-Term Rental Permit application and as defined by McCall City Code Section 3.2.02. Total maximum occupancy of the Short-Term Rental shall not exceed ten (10) persons without the issuance of a conditional use permit pursuant to MCC 3.13.03.

4. Noise: Loud music, outdoor activities or any other source of noise that can be heard beyond the perimeter of the Short-Term Rental premises shall not be generated between the hours of 10:00 p.m. and 8:00 a.m. the following day.

5. Health and Safety Inspection: Protection of the health and safety of occupants of a Short-Term Rental Dwelling and surrounding property owners shall be ensured through an inspection and approval of the Short-Term Rental Dwelling by the Fire Code Official for the McCall Fire Protection District prior to the issuance of a business license pursuant to MCC Title 4, Chapter 2. Such inspection shall be subject to a fire, health and safety checklist developed by the Fire Code Official and approved from time-to-time by resolution of the City Council.

6. Posted Notice: A written notice shall be posted in a conspicuous location within the unit that describes restrictions on use of the unit. Such notice shall include, but is not limited to the structure's maximum occupancy, parking requirements, solid waste and fireplace ash disposal, quiet hours, noise restrictions, and restrictions on outdoor activity. A written notice shall also be posted detailing the emergency exiting plan approved by the Fire Code Official, Short-Term Rental business permit number, and the name and phone number of Local Contact Person and property owner.

7. Events: No Events shall be located at a Short-Term Rental without first obtaining a conditional use permit.

8. Accessory Dwelling Unit: If the Short-Term Rental is located on a parcel that contains an accessory dwelling unit and a primary residence, then one of the dwellings must be owner occupied or a local housing, non-Short-Term Rental, dwelling unit.

9. Exterior Changes: No exterior changes shall be made to the structures or site conditions at a Short-Term Rental that would eliminate its appearance or use as a Dwelling Unit for long term residency.

(D) Application Process: An application for a Short-Term Rental business license shall be submitted to the City in compliance with the procedures set forth in Title 4.

(E) Compliance:

1. All Owners wishing to operate a Short-Term Rental must be in immediate compliance with the provisions of this Section as well as the provisions of Title 4 applicable to Short-Term Rentals as follows:

a. All Owners of Short-Term Rentals may continue to operate under existing business licenses through December 31, 2022.

b. Owners of existing Short-Term Rentals wishing to operate in 2023 or at any time thereafter must submit an application for a Short-Term Rental Permit to the City according to the provisions of Title 4.

c. Any Owner shall submit an application for a Short-Term Rental Permit after October 1, 2022 and must be in general compliance with all the Short-Term Rental regulations in this chapter and Title 4 by January 1, 2024. All permits will expire on December 31 of each year and must be renewed annually.

(F) Enforcement of the requirements set forth in this section shall follow the enforcement provisions of MCC Title 4. (Ord. 1011, 9-8-2022)

Ketchum, Idaho Code

**CITY OF KETCHUM
ORDINANCE 1230**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADDING A NEW CHAPTER 9 OF TITLE 5 OF KETCHUM MUNICIPAL CODE ENTITLED SHORT-TERM RENTAL PERMITS; PROVIDING A PURPOSE; DEFINING KEY TERMS; ESTABLISHING PERMIT REQUIREMENTS TO OPERATE A SHORT-TERM RENTAL; CREATING STANDARDS TO OBTAIN A SHORT-TERM RENTAL PERMIT; PROVIDING FOR VIOLATIONS, AND ENFORCEMENT; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. The City is authorized to exercise its powers to “maintain the peace, good environment and welfare.” Idaho Code §§50-301 and 50-302(a).
- B. The City is authorized to “implement such reasonable regulations as it deems necessary to safeguard the public health, safety and general welfare in order to protect the integrity of residential neighborhoods in which short-term rentals or vacation rentals operate.” Idaho Code §67-6539.
- C. The significant growth of short-term rentals within the City has created a need for reasonable regulations so as to protect the health, safety, and welfare of short-term rental guests, as well as neighboring property and the public.
- D. A permitting system provides a reasonable regulatory approach to seek to balance the operation of short-term rentals with the health, safety, and welfare impacts upon guests, neighbors, and the public.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That a new Chapter 5.09 of Title 5 of the Ketchum City Code is created to read as follows:

**Chapter 5.09
SHORT-TERM RENTAL PERMITS**

- 5.09.010: Purpose
- 5.09.020: Definitions
- 5.09.030: Permit Required
- 5.09.040: Permit Standards
- 5.09.050: Violations and Enforcement

5.09.010: Purpose: Short-term rentals provide additional tourism opportunities and economic impacts, but also increased impacts on guests, neighbors, and the public. The purpose of this chapter is to provide the City with reasonable regulatory procedures to protect the health, safety and welfare of short-term rental guests, neighboring residents, and the public. These regulations are further intended to protect the integrity of neighborhoods in which short-term rentals operate.

5.09.020: Definitions:

LOCAL REPRESENTATIVE: An area property manager, owner, resident, or agent who is readily available to respond to guest and neighborhood or City questions or concerns.

RESIDENT: The person or entity that holds legal and/or equitable title (Owner) or lease rights (Renter) to the private property.

RESIDENT-OCCUPIED: Where the Resident of a dwelling unit resides on the parcel for a minimum of six (6) months out of a calendar year. Homeowner-occupied tax-exempt status may be considered to be proof of resident-occupied status for the purposes of this chapter. A lease with a minimum term of six months, or affidavit of such lease, signed by Owner and Renter is considered proof of Resident-Occupied status with a renter under this definition.

SALE/TRANSFER: Any change of Resident, whether for consideration or not, during the term of the permit.

SHORT-TERM RENTAL (STR): 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 Resident-occupied residential home that is offered for a fee and for thirty (30) days or less.¹

5.09.30 : Permit Required.

- A. **Permit Required:** No person shall operate or manage, or offer or negotiate to use, lease or rent a dwelling unit for Short-Term Rental occupancy within the City without first obtaining and maintaining a Short-Term Rental (STR) Permit.
- B. **Permit Application:** The City shall prepare and make available an application form for a STR Permit reflecting appropriate information, standards compliance, and fee as may be established in the City's fee schedule.
- C. **Permit Term:** A STR Permit shall be valid for a period of one year from issuance and may be annually renewed. A permit shall expire upon end of its one-year term or upon a sale/transfer of the property.
- D. **Permit Applicability:** A permit shall be applicable to the designated dwelling unit to be used as a STR. The permit shall be issued to and in the name of the Resident; and a change in Resident, such as by sale/transfer, shall require a new permit. If the proposed Permittee is a Renter, then consent of the Owner must be provided.
- E. **Compliance Responsibility:** A Permittee may act through an agent or property manager, but the Permittee shall remain responsible for compliance with these provisions.
- F. **Occupancy Tax:** STRs must comply with the requirements of Ketchum Municipal Code 3.12.030, Imposition and Rate of Certain Nonproperty Sales Taxes.
- G. **Existing STRs:** Short-Term Rentals in existence prior to the effective date of this ordinance shall be provided a grace period of ninety (90) days in which to obtain a permit according to the standards of this chapter.
- H. **Residential Zones:** Within residential zones, Short-Term Rentals shall have a minimum two (2) night stay and shall be limited to one Short-Term Rental per parcel.

¹ IC 63-1803(4).

- I. STRs are not permitted in Light Industrial (LI) zones. STRs are limited and restricted in the same manner as any other rental in the Avalanche Zone District per Ketchum Municipal Code 17.92.010.

5.09.40 : Permit Standards.

- A. Declaration of Compliance. At the time of application for a new or renewal Short-Term Rental permit, the applicant shall submit an affidavit affirming compliance with City standards along with completing a City provided self-inspection checklist.
- B. Inspection. The City may require an inspection to verify compliance with standards upon application, upon complaint of non-compliance, or in relation to other permit enforcement action.
- C. Minimum Standards. The minimum standards required for all Short-Term Rental dwelling units, are set forth below. These standards are intended to protect that the use of a dwelling unit as a STR does not generally have greater impacts than would be created by long term occupancy of the dwelling unit. The City retains the ability to add to requirements as necessary, as will be stated on the permit application, to provide for the health, safety, and general welfare of the community and for STR guests.
 1. Windows. Bedroom windows shall be operable to allow for emergency egress in accordance with the most recent building and fire codes as adopted and amended by the City.
 2. Smoke Alarms. Single or multiple-station smoke alarms shall be installed and maintained in accordance with manufacturers specification and an approved Fire Safety Plan.
 3. Carbon Monoxide Detectors: A CO detector is required on each floor if there is a garage, solid fuel appliance, or gas appliance, and as otherwise required in an approved Fire Safety Plan.
 4. Fire Extinguishers: One 2A:10BC type fire extinguisher shall be equipped per floor, and as otherwise required in an approved Fire Safety Plan. Fire extinguisher(s) shall be mounted in visible locations with the tops of the fire extinguishers mounted between three feet (3') and five feet (5') above the floor, and to be accessible to occupants at all times.
 5. Parking. Improved surface areas on the site shall be the minimum necessary to provide adequate parking for the occupancy.
 6. Access. The access and ingress to the site shall maintain safe conditions for pedestrians and vehicles and shall be adequately sized and designed so that access to other properties is not impacted or unsafe conditions on public streets created.
 7. Noise. Loud music, outdoor activities or any other source of noise that can be heard beyond the perimeter of the STR premises shall not be generated during the hours of 10:00 p.m. to 8:00 a.m. the following day.
 8. Exterior Changes: No exterior changes shall be made to the structures or site conditions that would eliminate its appearance or use as a dwelling unit for long term residency.

D. Local Representative. Each STR shall designate and list a local representative who resides within twenty (20) vehicular miles of the city limits.

1. The local representative must be able to be responsive in a timely manner to City attempts to contact and address concerns. If the City is not able to contact the local representative in a timely manner more than twice during the term of the permit, this shall be considered a violation of this chapter.
2. The permit holder may change the designated local representative by filing an application amendment with the City. Failure to notify the City of a change in local representative will constitute a violation of this chapter.
3. As a condition of permit, the City may require that property owners and/or residents within two hundred feet (200') of the dwelling be provided with the name and telephone number of the owner or the local representative. The permit holder shall provide documentation to the City of this notification and list of the owners and/or residents contacted.

E. Permit Posting. The STR Permit shall be posted within the dwelling unit adjacent to the front door. At a minimum, the permit will contain the following information:

1. The name of the local representative and a telephone number where the representative may be reached;
2. The name of the Permittee and a telephone number where the Permittee may be reached;
3. The telephone number and website address of the City of Ketchum;
4. The maximum number of occupants permitted to stay in the dwelling unit;
5. The solid waste and recycling collection day;
6. City snowplowing and parking regulations.

F. Fire Safety Plan. An applicant must submit a Fire Safety Plan, which must be reviewed and approved by the Fire Department as part of the Permit. The Fire Safety Plan must be posted on site with the Permit.

G. High Occupancy STR Permit. A STR permit with a proposed occupancy of 20 or more guests shall require a conditional use permit that complies with the general standards and findings for approval of a conditional use permit as set forth in Title 17 and the standards for all Short-Term Rentals set forth in this Chapter. A High Occupancy STR permit shall have additional on-site permit posting requirements to further notify guests of the applicable conditions of approval that may be imposed in the conditional use permit process.

5.09.50 : Violations and Enforcement:

The following conduct shall constitute a violation for which the penalties and sanctions specified in this section may be imposed:

A. Violations:

- a. The occupants of the dwelling have created noise, disturbances, or nuisances, in violation of City Code.

- b. Violations of law pertaining to the consumption of alcohol or the use of illegal drugs.
 - c. The Permittee or local representative has failed to comply with the standards and/or requirements of this chapter.
- B. Penalties:
- a. For the first two (2) violations within a twelve (12) month period, the sanction shall be a warning notice.
 - b. For the third violation within a twelve (12) month period, the sanction shall be a revocation of the permit.
 - c. Additional penalties as may be provided for by the specific violation in other sections of City Code shall remain applicable.
 - d. These penalties are within the enforcement discretion of the City and may be relaxed or heightened depending upon specific circumstances.
- C. Written Notice: The City shall provide the permit holder with a written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative.
- D. Appeal of Suspension or Revocation: Pursuant to this section, the City shall provide the permit holder with a written notice of the permit suspension or revocation and the reasons. The permit holder may appeal the suspension or revocation under the same process as an administrative appeal under Ketchum Municipal Code 17.144.
- E. Application for Permit After Revocation: A Permittee who has had a STR Permit revoked shall not be permitted to apply for a subsequent STR Permit for the same dwelling unit for a period of one year from the date of revocation.
- F. Infraction: Unless otherwise provided, any person who shall commence or continue to operate a Short-Term Rental for which a permit is required without first procuring the permit shall be deemed guilty of an infraction and subject to a fine of one hundred dollars (\$100.00). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- G. Advertisement of Short-Term Rental: An advertisement or communication promoting the availability of a STR property in violation of this Code is prima facie evidence of a violation and may be grounds for further enforcement.


SECTION 3: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 4: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

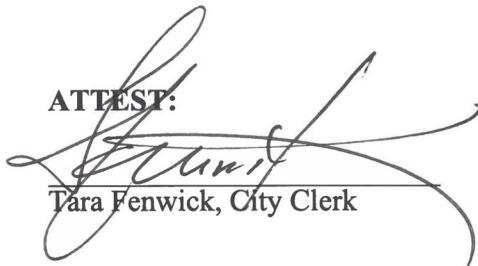
SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect as of April 1, 2022, after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL of Ketchum, Idaho this 18th day of January 2022

APPROVED BY THE MAYOR of Ketchum, Idaho this 1st day of January 2021.



Neil Bradshaw, Mayor

ATTEST:


Tara Fenwick, City Clerk

Sandpoint, Idaho Code

CHAPTER 12 - SHORT TERM RENTAL OF DWELLING UNITS

3-12-1: - Purpose:

The purpose of this chapter is to protect the integrity of the city's residential neighborhoods and private property rights by limiting non-owner occupied short term rentals within residential neighborhoods and by regulating all short term rentals of dwelling units to safeguard the health, safety and welfare of short term rental occupants and that of neighboring residents.

(Ord. 1353, 6-6-2018)

3-12-2: - Definitions:

LOCAL REPRESENTATIVE: An area property manager, owner, or agent of the owner, who is readily available to respond to tenant and neighborhood or city questions or concerns.

OWNER: The person or entity that holds legal and/or equitable title to the private property. The owner may act through an agent or property manager, but the owner shall remain responsible for compliance with these provisions.

OWNER OCCUPIED: Where the owner of a dwelling unit resides on the parcel for a minimum of six (6) months out of a calendar year. Homeowner occupied tax exempt status shall be considered to be proof of homeowner occupied status for the purposes of this code.

SHORT TERM RENTAL: The use of a dwelling unit, or a portion thereof which is rented for the purpose of overnight lodging for a period of thirty (30) days or less. Short term rentals are also commonly referred to as vacation homes, tourist homes, bed and breakfast establishments or vacation rentals.

(Ord. 1353, 6-6-2018)

3-12-3: - Requirements:

- A. Permit Required: No person shall occupy, use, operate or manage, nor offer or negotiate to use, lease or rent a dwelling unit for short term rental occupancy within the city without obtaining a short term rental permit.
- B. Compliance with Chapter: Permits for short term rentals are allowed subject to all provisions of this chapter.
- C. Occupancy Tax: Compliance with the requirements of chapter 10, "Hotel-Motel Occupancy Tax", of this title is required.

- D. Residential Zones: Within residential zones, short term rentals shall have a minimum two (2) nights stay and shall be limited to one per parcel.
- E. Non-Owner Occupied Short Term Rentals: The sum total of all non-owner occupied short term rentals within the entirety of all residential zones shall not exceed thirty-five (35) units, except as provided below:
 - 1. Where the short term rental unit is included in a multi-unit development with the following standards:
 - a. Such development must include not less than ten (10) units.
 - b. Such development must include property that adjoins the waterfront.
 - c. Such development must be within one thousand five hundred feet (1,500') of the downtown core defined as being within the boundaries of First Avenue, Cedar Street, Fifth Avenue and Pine Street. Developments located farther than one thousand five hundred feet (1,500') from the downtown core that meet standards in subsections E.1.a. and E.1.b. of this section may only be allowed non-owner occupied short term rentals at a ratio of one per ten (10) units.
 - 2. Where approved for greater short term rental density as part of an approved planned unit development. Existing approved planned unit developments must be formally amended to be eligible for this greater density.
 - 3. Where the short term rental was approved prior to the effective date of this chapter.

(Ord. 1353, 6-6-2018)

3-12-4: - Standards:

- A. A short term rental shall comply with the following standards:
 - 1. Permit:
 - a. Commencing on the effective date hereof, any person who is permitted to engage in the rental of a dwelling for short term occupancy shall have obtained a short term rental permit. Application for such a permit shall be made upon suitable forms furnished by the city. The permit is valid for one year and must be renewed annually. Renewal of the permit requires a complete permit application and fee. If a complete application and applicable fees have not been received by the city on the annual renewal date, the short term rental shall be conclusively presumed to be discontinued and the city shall revoke the short term rental permit.
 - b. A short term rental permit is issued to a specific owner of a dwelling unit. The short term rental permit shall be revoked when the permit holder sells or transfers the real property. For purposes of this section, "sale or transfer" shall mean any change of ownership during the lifetime of the permit holder or after the death of the permit holder whether there is

consideration or not except a change in ownership where title is held in survivorship with a spouse or child or transfers on the owner's death to a trust which benefits only a spouse or child. A permit holder may transfer ownership of the real property to: a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity and not be subject to permit revocation pursuant to this section so long as the transferor lives and remains the only owner of the entity. When the permit holder sells or transfers the real property, the new owner shall apply for and receive a short term rental permit before using the dwelling as a short term rental.

2. Issuance: The issuance of a short term rental permit shall be subject to the following requirements:

a. Inspection:

- (1) At the time of application for a new short term rental permit, the dwelling unit shall be subject to inspection by the building official or their designee. Prior to the issuance of the short term rental permit, the owner of the dwelling unit shall make all necessary alterations to the dwelling required by the building official pursuant to the requirements of this chapter.
- (2) For renewals, applicants shall be required to submit a statement affirming compliance with the standards set forth in this chapter by completing a city provided self-inspection checklist.
- (3) Any inspections required under this chapter may be conducted by a private inspector certified by the International Code Council at the owner's expense.

b. Windows: Bedroom windows shall be operable to allow for emergency egress in accordance with the most recent building and fire codes as adopted and amended by the State of Idaho.

c. Smoke Alarms: Single or multiple-station smoke alarms shall be installed and maintained in accordance with manufacturers specification:

- (1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
- (2) In each room used for sleeping purposes.
- (3) In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

d.

CO Detectors: A CO detector is required on each floor if: there is a garage, solid fuel appliance or gas appliance.

- e. Fire Extinguishers: The short term rental shall be equipped with one 2A:10BC type extinguisher per floor. Fire extinguisher(s) shall be mounted in visible locations with the tops of the fire extinguishers mounted between three feet (3') and five feet (5') above the floor, and shall be accessible to occupants at all times.
- f. Occupancy: No recreational vehicle, travel trailer, tent or other temporary shelter shall be used as a short term rental.
- g. Local Representative:
 - (1) Each short term rental shall list a local representative who permanently resides within twenty (20) vehicular miles of Sandpoint City limits.
 - (2) If the Police Department is not able to contact the local representative in a timely manner more than twice during the term of the annual permit, this shall be considered a violation pursuant to section 3-12-5 of this chapter.
 - (3) The designated local representative may be changed by the permit holder from time to time throughout the term of the permit. However, to change the local representative, the permit holder must file a revised permit application that includes the name, address and telephone number of the new local representative. Failure to notify the city of a change in the local representative constitutes a violation pursuant to section 3-12-5 of this chapter.
 - (4) For non-owner occupied short term rentals within the residential zones that do not meet the standards of subsection 3-12-3.E.1. of this chapter, property owners and/or residents within two hundred feet (200') of the dwelling shall be provided with the name and telephone number of the owner or the local representative. The permit holder shall provide documentation to the city of this notification and list of the owners and/or residents contacted.
- h. Permit Posting: The short term rental permit shall be posted within the dwelling adjacent to the front door. At a minimum, the permit will contain the following information:
 - (1) The name of the local representative and a telephone number where the representative may be reached;
 - (2) The name and a telephone number where the property owner can be reached;
 - (3) The telephone number and website address of the City of Sandpoint and the Sandpoint Police Department;
 - (4) The maximum number of occupants permitted to stay in the dwelling;
 - (5) The solid waste and recycling collection day; and

(6) The Sandpoint snowplowing regulations.

- i. Inactivity: License issuance and continued validity for non-owner occupied short term rentals shall be contingent upon the owner's good faith effort to actively engage in the rental of the property. Failure to provide documentation of rental activity for a minimum of twelve (12) nights during a twelve (12) month period, pro-rated quarterly, prior to the short term rental permit renewal deadline shall constitute an immediate forfeiture of the license.

(Ord. 1353, 6-6-2018; amd. Ord. 1380, 11-4-2020)

3-12-5: - Violation; Infraction; Penalty:

A. The following conduct shall constitute a violation for which the penalties and sanctions specified in this section may be imposed:

1. Violations:

- a. The tenants of the dwelling have created noise, disturbances, or nuisances, in violation of this code, or violations of State law pertaining to the consumption of alcohol, or the use of illegal drugs.
- b. The owner has failed to comply with the standards of section 3-12-4 of this chapter.

2. Penalties:

- a. For the first two (2) violations within a twelve (12) month period, the sanction shall be a warning notice.
- b. For the third violation within a twelve (12) month period, the sanction shall be a revocation of the permit.

3. Written Notice: The city shall provide the permit holder with a written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative.

4. Appeal of Suspension or Revocation: Pursuant to this section, the city shall provide the permit holder with a written notice of the permit suspension or revocation and the reasons therefor. The permit holder may appeal the suspension or revocation to the city council by filing a letter of appeal to the city clerk within twenty (20) days after the date of the mailing of the Planning Director's order to suspend or revoke the permit. The Planning Director's suspension or revocation shall be stayed until the appeal has been determined by the city council. The city council shall conduct a hearing on the appeal within sixty (60) days of the date of the filing of the letter of appeal. At the appeal, the permit holder may present such evidence as may be relevant. At the conclusion of the hearing, based on the evidence it has received, the council may uphold, modify, or overturn the decision of the Planning Director to suspend or revoke the permit based on the evidence received.

5. Application for Permit After Revocation: A person who has had a short term rental permit revoked shall not be permitted to apply for a subsequent short term rental permit for a period of two (2) years from the date of revocation.
6. Infraction: Unless otherwise provided, any person who shall commence or continue to operate a short term rental for which a permit is required by any provision of this title without first procuring the same shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined one hundred dollars (\$100.00). An infraction is a civil public offense, not constituting a crime, for which no period of incarceration is imposed. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
7. Advertisement of Short Term Rental: An advertisement promoting the availability of short-term rental property in violation of this code is prima facie evidence of a violation and may be grounds for denial, suspension or revocation of a license.

Advertising that offers a property as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental and the burden of proof shall be on the owner, operator, or lessee of record to establish that the subject property is being used as a legal residential short-term rental or is not in operation.

Any communication by a property owner, manager, operator, or lessee to any person where the owner, manager, operator, or lessee offers their home for rent as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental and the burden of proof shall be on the owner, operator, or lessee of record to establish that the subject property is being used as a legal residential short-term rental or is not in operation.

Other evidence of the operation of a residential short-term rental without a valid permit number may include, but is not limited to: guest testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by a guest.

(Ord. 1353, 6-6-2018)

Idaho Homeowner vs. Renter Statistics

Compared to the nationwide median, Idaho households are 11.1% more likely to own their homes and have 6.04% lower monthly mortgage payments.

- 733,244 total households live in Idaho.
- 531,631 households in Idaho (72.5%) own their homes.
- 201,613 households in Idaho (27.5%) rent their homes.
- The median monthly mortgage payment is \$1,198.
- Monthly costs of homeownership (excluding mortgages) are a median \$488; in homes with mortgages, the median monthly cost to owners is \$1,686.
- The median gross rent in Idaho is \$1,256 per month.
- Homeowning households in Idaho have an average of 2.71 residents; renting households average 2.36 residents.
- The homeowner vacancy rate in Idaho is 0.7%.
- Idaho's rental vacancy is 4.1%.

In Idaho, the rise in technological accessibility and popularity of short-term rentals coincided with a decrease in long-term rentals. Data indicates that short-term rentals have a significant impact on the occupancy and price of our cities' housing stock.

As of June 2024, Ketchum had 480 short-term rentals, which is 13% of Ketchum’s housing stock and about the same proportion as long-term rentals. A recent survey of short-term rental owners indicates that nearly half would not have purchased if their ability to short-term rent were restricted, meaning less competition for locals in the market. In Ketchum, 335 homes used as long-term rentals were lost between 2010 and 2019, just as the use and popularity of web platforms like AirBnB grew. That represents 23% of Ketchum’s households from 2010 – the vast majority of which are no longer living in the area since most of those renters did not convert to ownership.

In Ketchum, 60% of short-term rentals have owners residing outside of Idaho (66% countywide). In Driggs, 53% of short-term rentals have non-local owners (75% in the newest developments). As of 2023, in McCall, 70% of the housing stock is vacant and only 6% long-term rented. 51% of Ketchum’s housing stock is vacant – primarily second home and short-term rental use – with only 12% of the housing stock occupied by long-term renters.

2023 5-Year ACS Estimates	Driggs		Ketchum		McCall	
Count	Count	%	Count	%	Count	%
Homes	1,176	100%	4,334	100%	4,292	100%
Owner Occupied	507	43%	1,610	37%	1,016	24%
Renter Occupied	382	33%	522	12%	276	69%
Seasonal / STR	281	24%	2,202	51%	3,000	70%

In addition to the impact of short-term rentals, seasonal ownership also impacts housing availability and affordability. Communities worldwide have created a vacant home tax and found

that such a tax increased revenue devoted to housing locals and increased availability of housing for locals. Such a tax could be calibrated based on goals – solely revenue generation or revenue generation plus incentivizing conversion of seasonal homes to locally occupied homes.