

City of Moab

ORDINANCE 2007- 09

An ordinance clarifying that current Moab Municipal Code does not allow short term rentals in the A-2, C-1, C-5, FC-1, I-1, O-1, R&D-1, R-1, R-2, R-3, R-4, and RA-1 and other Zones where short term rentals are not a permitted use, except for Bed and Breakfast Facilities and Guest Apartments that comply with the provisions of section 17.70 and 17.71.

WHEREAS, the City of Moab wishes to protect and preserve the Objectives and Characteristics of existing zone designations as delineated in Chapters 17.18 through 17.54; and

WHEREAS, the City of Moab wishes to clarify that current Moab Municipal Code does not allow short term rentals except in zones that specifically allow that use, or except for Bed and Breakfast Facilities and Guest Apartments that comply with sections 17.70 and 17.71 of the Moab Municipal Code;

THEREFORE, the Moab Municipal Code is amended by the adoption of the following:

17.09.700 Residential Short Term Rentals Prohibited. Except for Bed and Breakfast Facilities and Guest Apartments that comply with sections 17.70 and 17.71 of the Moab Municipal Code, the short term rental of dwellings is prohibited in the following zones: A-2, C-1, C-5, FC-1, I-1, O-1, R&D-1, R-1, R-2, R-3, R-4, RA-1, and all other zones where short-term rentals are not listed as a permitted use.

For the purposes of this section "Short Term Rental" shall be defined as:

1. The use, occupancy, rent or lease, for direct or indirect remuneration, of a structure or any portion thereof constructed for single family or multifamily occupancy or of any other residential property for an effective term of thirty (30) consecutive calendar days or less.
2. The commercial use, by any person, of residential property for hostel, hotel, inn, lodging, motel, resort or other transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy for a term of thirty (30) consecutive days or less.

For the purposes of this section remuneration means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.

Passed and adopted by the City of Moab in open session on the 10th day of July, 2007. This ordinance shall take effect immediately upon passage.

Mayor David Sakrison

Date

Attest:

Rachel Ellison, City Recorder

Date