

Chapter 18.73

RESIDENTIAL SHORT-TERM RENTALS

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18.73.010 Purpose.

The purpose of this chapter is to provide a fair, equitable and streamlined means of allowing residential short-term rentals throughout Alpine County in a manner that provides for the health and safety of the occupants and does not create a public nuisance. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(1), 2017)

18.73.020 Applicability.

Residential short-term rentals may be located in any zone that allows residential use; provided, that the residential short-term rental complies with all the requirements of this chapter. Residential short-term rental means the use of a dwelling unit by any person or persons for the purpose of providing overnight lodging in exchange for payment for a period of less than thirty consecutive days. Short-term rentals also include owner-occupied short-term rentals, but do not include bed and breakfasts, inns, hotels and motels. Short-term rentals are prohibited in

accessory (secondary) dwelling units or junior accessory dwelling units unless built prior to 2017 (Government Code [65852.2](#)). (Ord. 740-21 § 1, 2021; Ord. 723 § 1(2), 2017)

18.73.030 Exemptions.

A. Five Nights/Year. Residential short-term rentals offered or used up to a maximum of five nights per calendar year are exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code.

B. One Bedroom in an Owner-Occupied Residence. One bedroom in an owner-occupied residence accommodating no more than three overnight guests is exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(3), 2017)

18.73.060 Notification of residential short-term rental.

Upon approval of a license and prior to offering the residential short-term rental, Alpine County Community Development staff shall send a notification to all property owners shown on the latest equalized assessment roles as owning real property within three hundred feet of the property where the residential short-term rental is located. Notices shall contain the property owner's and, if applicable, the rental agent's name, telephone number and mailing address; street address of the residential short-term rental unit, description of the residential short-term rental use, name and phone number for a twenty-four/seven emergency contact and maximum occupancy of the dwelling.

This notification requirement does not apply to residential short-term rentals located within the Kirkwood Specific Plan and Bear Valley Master Plan areas. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(6), 2017)

18.73.070 Standards.

A. Limitation on Structures. A residential short-term rental may be conducted only within a legally established residential unit or portion thereof.

B. Noise Limitations. No activity at any time shall produce sounds measured in excess of the standards as stated in Section [18.68.090](#)(B) of this code.. Exceptions are made for sources and activities listed in [18.68.090](#) (F).

1. Properties with three or more noise complaints within a 12-month time period will be required to install a noise monitoring system approved by the Community Development Director, and make the data from the system available to the county, if requested.

C. Outdoor Fires. Outdoor fires are limited pursuant to Chapter [8.16](#) regarding outdoor burning and fire control.

1. Properties which violate the standards of Chapter [8.16](#) for outdoor fire will be prohibited from all future outdoor burning with the exception of propane fuel barbeques and appliances.

D. Solid Waste. Solid waste storage and disposal shall not become a nuisance. The property owner shall not fail to adequately provide for appropriate refuse collection and/or storage. Solid waste violations include failure to secure waste from wildlife, leaving waste out for excessive time, and failure to secure waste from weather.

1. East Slope properties are required to install a wildlife-proof solid waste receptacle or bear box within six months of the issuing or renewal of short term rental license.

E. Parking. No additional parking in excess of what is required for the residential use of the property shall be required.

F. Signs. One single, nonilluminated sign of not more than six square feet in area is permitted. In addition, each residential short-term rental shall have an address placard displayed on the building or land in such manner as to be clearly visible from the street or road on which the residential short-term rental is located. The address placard shall comply with the requirements of Chapter 12.04 and the California Fire Code.

G. Life Safety Measures. The following life safety measures are required to be in place within the area to be used for the residential short-term rental:

1. Operating smoke detector(s) and carbon monoxide detector(s) installed in accordance with state law;
2. At least one functioning fire extinguisher in an easily accessed location inside the space;
3. Written information available to the occupant in a conspicuous location inside the space containing twenty-four/seven emergency contact information for a representative of the property owner or rental agent, law enforcement, fire department, and ambulance services.

H. Confinement of Pets. Guests of residential short-term rentals shall confine pets per the requirements of Section [6.04.160](#).

I. Outdoor Lighting. For all exterior lighting the light source shall be fully shielded from neighboring properties and directed downward. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property

boundaries of the source. Motion-sensing light fixtures shall be fully shielded from neighboring properties and properly adjusted to turn off when detected motion ceases.

J. Interior Notice Requirements. Each rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

1. 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 twenty-four-hour basis.
2. The maximum occupancy permitted for the dwelling.
3. The number and location of on-site parking spaces and the parking rules for seasonal snow removal.
4. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property prior to the day designated for trash collection, unless it is stored within a designated bear box. Failure to utilize the provided garbage can enclosure or bear box, unless otherwise exempted, is a violation of this chapter.
5. Occupants and/or guests of the rental shall not 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, voices shall be kept to average conversation levels and shall not produce noise such that neighboring properties are disturbed between the hours of nine p.m. and seven a.m.
6. Occupants may be cited and fined for violating any provisions of the Alpine County Code.

L. Compliance with Other Codes, Laws and Regulations. The residential short-term rental shall be conducted in compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of the Alpine County Code.

M. Public Nuisance. The residential short-term rental shall not be operated in a manner that creates a public nuisance.

N. Emergency Contact. The property owner shall designate an emergency contact. The contact may be a professional property manager, realtor, property owner, or other designated person who is available twenty-four hours per day, seven days per week during all times that the property is rented, and has access and authority to assume management of the unit and take remedial measures. The emergency contact shall be required to abate a nuisance relating to noise, trash, or parking within one hour after being notified of the existence of a potential violation of this chapter.

O. Advertisement. The residential short-term rental shall post the license identification number issued by the county within all online listings or other advertisements of the property for rent. (Ord. 740-1 § 1, 2021; Ord. 723 § 1(7), 2017)

18.73.080 Enforcement and penalties.

A. At the discretion of the Community Development director or his/her designee, the first violation of the standards may cause an administrative fine not to exceed five hundred dollars.

B. The second successive violation of the standards will cause an administrative fine not to exceed seven hundred and fifty dollars. The third successive violation of the standards will cause an administrative fine not to exceed one thousand dollars. The fourth violation will cause an administrative fine not to exceed two thousand dollars and the license to conduct short-term rental use shall be revoked and the property shall be prohibited from future short-term rental use. Successive violation means there have been upheld fines for violations which fines were issued during separate events and/or calls at the property within any twenty-four-month period.

C. Operation of a residential short-term rental without a valid license will result in an immediate administrative fine not to exceed two thousand dollars. (Ord. 740-21 § 1, 2021) Administrative fines will continue to accrue each day, as long as the property owner operates without a valid license.

18.73.090 Transient lodging tax proof of payment.

On or before April 1st of each year, payment in full of all transient lodging taxes due for the preceding calendar year shall be confirmed by the community development department. Nonpayment of transient lodging taxes is a violation of this chapter and the county may take action against the property owner and/or operator of the residential short-term rental pursuant to the applicable sections of the Alpine County Code. (Ord. 740-21 § 1, 2021; Ord. 723 § 1(8), 2017. Formerly 18.73.080)

18.73.100 No property rights conferred.

Residential short-term rental licenses shall not be construed as providing property rights or vested interests and entitlements in continued operation of a short-term rental. Residential short-term rental licenses are revocable. Residential short-term rental licenses shall not run with the land. (Ord. 740-21 § 1, 2021)

18.73.110 License required.

No person shall rent, offer to rent, or advertise for rent a residential unit to another person or persons for a short-term rental without a license approved and issued in a manner provided for

by this chapter. Only owners of a residential unit are eligible to apply for and receive a short-term rental license. Separate licenses are required for each individual property. Licenses for operation of a short-term rental shall be issued pursuant to an administrative policy developed by the Community Development Director and/or his designee. (Ord. 740-21 § 1, 2021)

18.73.120 Application requirements.

Prior to renting, offering to rent or advertising the rental of a residential unit for a short-term rental, the property owner shall make an application to the county on a form provided by the county. The application shall be filed by the owner and include, at a minimum the following information:

- A. The full true name under which the business will be conducted.
- B. The maximum occupancy permitted for the dwelling.
- C. The address and assessor parcel number where the short-term rental is to be conducted. Where multiple units are located on the same parcel, each unit's address shall be provided on a separate application.
- D. The owner's full, true name, mailing address, email address and telephone number.
- E. In the case that a separate management company or person shall assume responsibility of the short-term rental for the owner, the management company or contact person's name, phone number, mailing address and email address shall be provided in addition to the owner. (Ord. 740-21 § 1, 2021)

18.73.130 Requirements for license issuance.

The county shall consider the information included in a submitted application in order to determine whether the issuance of the license for the short-term rental is consistent with the provisions of this chapter. Upon determination by the county that the following criteria have been met, the county shall approve the license:

- A. The number of licensed short-term rentals within the East Slope short-term rental overlay district does not exceed thirty-five;
- B. The property is not within one hundred feet distance as measured from the property boundary to a licensed short-term rental property in the residential neighborhood or residential estate zoning district or within one hundred feet of a dwelling unit for a licensed property in the agriculture zoning district. For property in the agriculture zoning district the dwelling unit shall not be within one hundred feet of a licensed short-term rental property. Properties with a valid registration or transient lodging home occupancy permit approved prior to March 17, 2020, are not required to meet the one-hundred-foot distance requirement if the

owner applies for license prior to July 1, 2021. Legal nonconforming uses which do not meet the one-hundred-foot distance requirement are allowed to continue short-term rental use by maintaining an annual license. Legal nonconforming status with the one-hundred-foot distance requirement shall be rescinded if a legal nonconforming use changes ownership, fails to renew the annual license, the license is revoked by the county, or upon cessation of use. The limits of this section apply only to properties within the East Slope communities that are not within commercial zoning districts;

C. A license for a short-term rental use for the residential unit has not been revoked in the prior twenty-four month period;

D. The premises or residential unit is not currently the subject of an active compliance order or administrative citation for violation of this code;

E. An administrative citation has not been issued, regarding a violation on the site, in the past twelve months;

F. The property owner has demonstrated, through an application filed to the county, the ability to meet the requirements outlined in this chapter. (Ord. 740-21 § 1, 2021)

18.73.140 East slope waitlist

Property owners that are denied from obtaining a license due to East Slope limit restrictions or the one-hundred-foot buffer, can request to be placed on a county-maintained waitlist with the submittal of an application and payment of an application fee.

Waitlisted individuals will be contacted when the opportunity to apply for a short-term rental license arises. The individual will be given 30 days to complete the application process. If all application items are not received within 30 days of notification, the position shall be forfeited to the next applicant on the waitlist.

- A. Waitlist applications are voided upon change in ownership.
- B. Property owners found to be renting without a valid rental license will forfeit their position on the waitlist and will not be allowed to reapply for a 12-month period.
- C. A nonrefundable waitlist application fee of an amount established by the Board of Supervisors shall be remitted with the application.

18.73.150 Events at residential short-term rentals

Advertising a residential short-term rental as a venue for events is prohibited. Homeowners wishing to offer their property for event usage must first obtain a conditional use permit for a home occupation in accordance with county code 18.70.

Guests may not hold a special event at a Short-Term rental unless the property owner has been issued a conditional use permit for home occupation.

Noncommercial weddings and other private single day life events such as birthday parties, holiday parties etc. are exempt from requiring a home occupation permit. However, total attendance at these events should not exceed 150% of the occupancy approved with the rental license unless a home occupation permit has been obtained per county code [18.70](#).

18.73.160 License form and period of validity.

All licenses for short-term rental uses shall be made on forms furnished by the community development department and shall be issued for a period of one year. Licenses shall be issued for the period of time beginning on July 1st of each year and shall conclude on June 30th of the following year. Applications made during the year shall be issued for a prorated period to conclude on June 30th. (Ord. 740-21 § 1, 2021)

18.73.170 License issuance and nontransferability.

The short-term rental license issued under this chapter shall be issued to the owner of record of the residential unit and no license may be assigned, transferred or loaned to any other person, entity, location or establishment. (Ord. 740-21 § 1, 2021)

18.73.180 Term of license—Expiration.

The short-term rental license shall be personal to the applicant/owner and shall automatically expire upon sale or transfer of the premises or residential unit, or if not renewed pursuant to Section [18.73.190](#). The license may be revoked for failure to comply with the requirements of the Alpine County Code, subject to the administrative and revocation procedures outlined in Section [18.73.210](#), unless otherwise specified by this chapter. (Ord. 740-21 § 1, 2021)

18.73.190 License renewal.

The short-term rental license shall automatically renew upon payment of the short-term rental license renewal fee and all required transient occupancy tax remittance documents associated with the short-term rental license. Nonrenewal prior to the expiration date will result in expiration of the short-term rental license and will require that a new application be made subject to Sections [18.73.120](#) and [18.73.130](#) and all other requirements of this code. (Ord. 740-21 § 1, 2021)

- A. Nonrenewal prior to the expiration date will result in expiration of the short-term rental license and will require that a new application be made subject to sections 18.73.130 and 18.73.140 and all other requirements of this code. Renewal applications must be

submitted by July 1st annually and completed within 30 days to prevent license expiration.

18.73.200 Cessation of use of a residential unit as a short-term rental.

A. Holding a short-term rental license without the intent to rent the unit shall not be permitted. Where the owner of a premises or residential unit used and occupied as a short-term rental pursuant to a short-term rental license approved and issued in the manner provided by this chapter fails to remit transient occupancy tax for a period of twelve consecutive months as determined by the county, the short-term rental license shall be deemed to have automatically expired and shall be forfeited.

B. Where the owner of a premises or residential unit used and occupied as a short-term rental pursuant to a short-term rental license approved and issued in the manner provided by this chapter intends to cease such use and abandon the short-term rental license for the residential unit, the owner shall promptly cause a notice of cessation to be filed with the county. The short-term rental license for the unit shall expire immediately upon receipt by the county of the notice of cessation. (Ord. 740-21 § 1, 2021)

18.73.210 License revocation.

A short-term rental license issued under the provisions of this chapter may be revoked by the Community Development Director or his/her designee after notice and hearing, as provided in Section [18.73.220](#), for any of the following reasons:

- A. Fraud, misrepresentation or false statement contained in the application;
- B. Fraud, misrepresentation or false statement made in the course of carrying on a short-term rental as regulated by this chapter;
- C. Any violation of any of the provisions of this chapter or of any other provision of this code;
- D. Any violation of any provision of federal, state or local laws; or
- E. Cessation of use. (Ord. 740-21 § 1, 2021)

18.73.220 License revocation notice.

Before revoking a short-term rental license, the Community Development Director or his/her designee shall give the owner notice in writing ten days prior to the revocation action. (Ord. 740-21 § 1, 2021)

18.73.230 Appeal from denial or revocation of license.

Any person whose application has been denied by the Community Development Director or his/her designee or any person who has had a short-term rental license revoked by the Community Development Director or his/her designee shall have the right to appeal per Chapter [18.88](#). (Ord. 740-21 § 1, 2021)

18.73.240 Fee.

A. The county shall collect an annual non-refundable fee established by the Board of Supervisors for every application.