

**SHORT-TERM RENTAL ENFORCEMENT REVISIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gay Lynn Bennion**

Senate Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill enacts provisions regarding short-term rentals.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires municipalities and counties that allow short-term rentals to adopt short-term rental ordinances and regulations;
- ▶ requires an owner of a short-term rental to obtain a permit to operate the short-term rental; and
- ▶ establishes safety requirements for short-term rentals.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

- 10-9a-537**, Utah Code Annotated 1953
- 17-27a-533**, Utah Code Annotated 1953
- 57-30-101**, Utah Code Annotated 1953
- 57-30-201**, Utah Code Annotated 1953



28 57-30-202, Utah Code Annotated 1953



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **10-9a-537** is enacted to read:

32 **10-9a-537. Short-term rentals.**

33 (1) As used in this section, "short-term rental" means the same as that term is defined  
34 in Section [57-30-101](#).

35 (2) A municipality that allows short-term rentals within the municipality shall:

36 (a) adopt ordinances and regulations to promote the public health, public safety, and  
37 general welfare of the short-term rental occupants; and

38 (b) issue short-term rental permits in accordance with Title 57, Chapter 30, Short-term  
39 Rentals.

40 Section 2. Section **17-27a-533** is enacted to read:

41 **17-27a-533. Short-term rentals.**

42 (1) A county that allows short-term rentals, as defined in Section [57-30-101](#), shall  
43 adopt ordinances and regulations to promote the public health, public safety, and general  
44 welfare of the short-term rental occupants.

45 (2) A county that allows short-term rentals shall:

46 (a) adopt ordinances and regulations, applicable to the unincorporated areas of the  
47 county, to promote the public health, public safety, and general welfare of the short-term rental  
48 occupants; and

49 (b) issue short-term rental permits in accordance with Title 57, Chapter 30, Short-term  
50 Rentals.

51 Section 3. Section **57-30-101** is enacted to read:

52 **CHAPTER 30. SHORT-TERM RENTALS**

53 **Part 1. General Provisions**

54 **57-30-101. Definitions.**

55 As used in this chapter:

56 (1) "Owner" means the individual that has the largest ownership percentage in a  
57 residential structure, whether direct ownership or indirect ownership through an entity.

58 (2) (a) "Short-term rental" means any of the following, offered for use as residential

59 lodging, in exchange for compensation, for a period of no more than 29 consecutive days:

60 (i) a single-family residence;

61 (ii) a unit of a multi-family residence that is a:

62 (A) duplex;

63 (B) triplex; or

64 (C) fourplex;

65 (iii) a town home;

66 (iv) a condominium unit;

67 (v) an accessory dwelling unit, as that term is defined in Section 10-9a-103; and

68 (vi) a bedroom, with an egress window, within a structure described in Subsections

69 (2)(a)(i) through (v).

70 (b) "Short-term rental" does not include a:

71 (i) unit within a qualified low-income building, as that term is defined in Section 42(c),

72 Internal Revenue Code;

73 (ii) structure, or space therein, that lacks a certificate of occupancy;

74 (iii) unit within an apartment building;

75 (iv) structure or unit that is sublet;

76 (v) hotel;

77 (vi) motel; or

78 (vii) inn.

79 (3) "Short-term rental permit" means a permit issued to a short-term rental owner for a  
80 specific short-term rental.

81 Section 4. Section 57-30-201 is enacted to read:

82 **Part 2. Short-term Rental Operations**

83 **57-30-201. Permits -- Designated local contact -- Course requirement.**

84 (1) (a) A short-term rental may only operate if the owner of the short-term rental has a  
85 valid:

86 (i) permit to operate the short-term rental issued by:

87 (A) the municipality in which the short-term rental is located; or

88 (B) if the short-term rental is located in an unincorporated area of a county, the county  
89 in which the short-term rental is located; and

90 (ii) sales and use tax license for the short-term rental issued by the State Tax  
91 Commission.

92 (b) The owner may obtain a permit under Subsection (1)(a)(i) only if:

93 (i) the owner designates a local contact for the short-term rental;

94 (ii) the owner and the designated local contact complete a short-term rental education  
95 course that is:

96 (A) provided by a college, university, or professional organization; and

97 (B) approved by the municipality or county that issues the permit; and

98 (iii) the ordinance requirements for obtaining a permit from the municipality or county  
99 are satisfied.

100 (2) (a) A designated local contact under Subsection (1)(b)(i):

101 (i) shall reside within 60 driving miles of the short-term rental; and

102 (ii) may act as the designated local contact for no more than 20 short-term rentals at  
103 any given time.

104 (b) A county or municipality may adopt ordinances requiring a designated local contact  
105 to:

106 (i) reside closer than 60 driving miles from the short-term rental; or

107 (ii) act as the designated contact for less than 20 short-term rentals at any given time.

108 (c) The owner shall ensure that the name and telephone number of the designated local  
109 contact is posted in a conspicuous place within the short-term rental.

110 (3) Any listing or advertisement that offers a short-term rental for reservation or  
111 occupancy shall include the owner's short-term rental permit number.

112 Section 5. Section **57-30-202** is enacted to read:

113 **57-30-202. Safety requirements -- Limitations.**

114 (1) (a) The total number of occupants allowed for a short-term rental is four individuals  
115 for a short-term rental described in Subsections 57-30-101(2)(a)(i) through (v), plus two  
116 additional individuals for each bedroom within the short-term rental.

117 (b) The total number of occupants allowed under Subsection (1)(a) may not exceed 16  
118 individuals.

119 (2) Each short-term rental must have, on each level where occupants are allowed, at  
120 least one functioning:

- 121            (a) smoke detector;  
122            (b) carbon monoxide detector; and  
123            (c) fire extinguisher.  
124            (3) The area within a short-term rental may not:  
125            (a) be subdivided into multiple short-term rental units; or  
126            (b) accommodate more than one reservation at a time.