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MUNICIPAL RENTAL DWELLING LICENSING AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Karen Kwan
House Sponsor: Andrew Stoddard
LONG TITLE
General Description:
This bill modifies provisions of the municipal code regarding rental dwellings.
Highlighted Provisions:
This bill:
<ul> <li>provides that a municipal ordinance on the licensing of an owner of a rental dwelling</li> </ul>
loes not apply to an owner who does not receive compensation for the use of the rental
dwelling.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
AMENDS:
10-8-85.5, as last amended by Laws of Utah 2023, Chapter 327
Be it enacted by the Legislature of the state of Utah:
Section 1. Section <b>10-8-85.5</b> is amended to read:
10-8-85.5 . ''Rental dwelling'' defined Municipality may require a business
icense or a regulatory business license and inspections Exception.
(1) As used in this section, "rental dwelling" means a building or portion of a building that
is:
(a) used or designated for use as a residence by one or more persons; and
(b) (i) available to be rented, loaned, leased, or hired out for a period of one month or
longer; or
(ii) arranged, designed, or built to be rented, loaned, leased, or hired out for a period

29	of one month or longer.
30	(2) (a) [The] Subject to Subsection (2)(e), the legislative body of a municipality may by
31	ordinance require the owner of a rental dwelling located within the municipality:
32	(i) to obtain a business license pursuant to Section 10-1-203; or
33	(ii) (A) to obtain a regulatory business license to operate and maintain the rental
34	dwelling in accordance with Section 10-1-203.5; and
35	(B) to allow inspections of the rental dwelling as a condition of obtaining a
36	regulatory business license.
37	(b) A municipality may not require an owner of multiple rental dwellings or multiple
38	buildings containing rental dwellings to obtain more than one regulatory business
39	license for the operation and maintenance of those rental dwellings.
40	(c) A municipality may not charge a fee for the inspection of a rental dwelling.
41	(d) If a municipality's inspection of a rental dwelling, allowed under Subsection
42	(2)(a)(ii)(B), approves the rental dwelling for purposes of a regulatory business
43	license, a municipality may not inspect that rental dwelling except as provided for in
44	Section 10-1-203.5.
45	(e) An ordinance under Subsection (2)(a) does not apply to an owner of a rental dwelling
46	who demonstrates by a signed affidavit that the owner does not receive compensation
47	from the use of the owner's rental dwelling.
48	(3) A municipality may not:
49	(a) interfere with the ability of an owner of a rental dwelling to contract with a tenant
50	concerning the payment of the cost of a utility or municipal service provided to the
51	rental dwelling; or
52	(b) except as required under the State Construction Code or an approved code under
53	Title 15A, State Construction and Fire Codes Act, for a structural change to the rental
54	dwelling, or as required in an ordinance adopted before January 1, 2008, require the
55	
	owner of a rental dwelling to retrofit the rental dwelling with or install in the rental
56	owner of a rental dwelling to retrofit the rental dwelling with or install in the rental dwelling a safety feature that was not required when the rental dwelling was
56	dwelling a safety feature that was not required when the rental dwelling was
56 57	dwelling a safety feature that was not required when the rental dwelling was constructed.
56 57 58	<ul><li>dwelling a safety feature that was not required when the rental dwelling was constructed.</li><li>(4) Nothing in this section shall be construed to affect the rights and duties established</li></ul>
56 57 58 59	<ul> <li>dwelling a safety feature that was not required when the rental dwelling was constructed.</li> <li>(4) Nothing in this section shall be construed to affect the rights and duties established under Title 57, Chapter 22, Utah Fit Premises Act, or to restrict a municipality's ability</li> </ul>

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- 63 Human Services Code.
- 64 Section 2. Effective date.
- 65 This bill takes effect on May 1, 2024.