

CHAPTER 26 SECTION 26-88-120
VACATION RENTAL ORDINANCE
PROPOSED AMENDMENTS

(g) Enforcement Process.

1. Initial complaints on vacation rentals shall be directed to the certified property manager identified in the zoning permit or use permit, as applicable. The certified property manager shall be available twenty-four (24) hours during all times when the property is rented, and shall be available by phone during these hours. Should a problem or arise and be reported to the certified property manager, the certified property manager shall be responsible for contacting the tenant to correct the problem within sixty (60) minutes, or within thirty (30) minutes if during quiet hours, including visiting the site if necessary to ensure that the issue has been corrected. The certified property manager shall complete the online reporting form to report any such complaints, and their resolution or attempted resolution(s), to PRMD within twenty-four (24) hours of the occurrence. Failure to respond to complaints or report them to PRMD shall be considered a violation of this section, and shall be cause for revocation of certification status.

If the issue reoccurs, the complaint will be addressed by PRMD code enforcement section who may conduct an investigation to determine whether there was a violation of a zoning or use permit condition. Sheriff reports, online searches, citations or neighbor documentation consisting of photos, sound recordings and video may constitute proof of a violation. If code enforcement verifies that a zoning or use permit condition violation has occurred, a notice of violation may be issued and a penalty may be imposed in accordance with Chapter 1 of the Sonoma County Code.

At the discretion of the code enforcement officer or the director, the zoning permit or use permit may be scheduled for a revocation hearing with the board of zoning adjustments. If the permit is revoked, a zoning or use permit for a vacation rental may not be reapplied for or issued for a period of at least one (1) year.

~~2. **Enhanced penalty for non-permitted rentals.** A vacation rental that is determined to be operating without the necessary permit required under this section shall be subject to a penalty of ten (10) times the normal application fee.~~

~~3.2.~~ **Three Strikes Penalty.** Upon receipt of any combination of three (3) administrative citations, verified violations, or hearing officer determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two-year period, the vacation rental zoning permit is summarily revoked, subject to prior notice and to appeal, if requested within ten (10) days. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two (2) years.

~~4.3.~~ **Violation of Performance Standards—Administrative Citations.** ~~In addition to all other legal remedies, criminal or civil, which may be pursued by the~~

~~county to address any violation of the county code, this subsection provides for administrative citations.~~

~~a. In addition to all other legal remedies, criminal or civil, which may be pursued by the county to address any violation, of the county code, this subsection provides for administrative citations~~ a violation of this section may be subject to an administrative citation under Section 1-7.6. Use of administrative citations shall be at the sole discretion of the county.

~~b.a. This subsection is adopted pursuant to the authority conferred by the Government Code, including Section 53069.4.~~

~~e.b.~~ Violations of the following permit requirements and performance standards may be deemed infractions for the purposes of ~~this subsection, and are subject to an~~ administrative citation:

1. Conduct of a cultural event, special event, party, wedding or other similar activity exceeding the allowable maximum occupancy;
2. Exceeding the maximum permitted occupancy, not including children under three (3) years of age;
3. Noise violations, as set forth in (f), above, including the use of outdoor amplified sound;
4. Violations of quiet hours (10:00 p.m. to 7:00 a.m.);
5. Exceeding maximum number of vehicles;
6. Exceeding fire limits, including lighting fires during bans;
7. Unsecured pets and/or nuisance barking;
8. Operation of a vacation rental without a certified property manager;
9. Failure of the property owner to include the specified limits in rental agreements and online listings or advertisements;
10. Failure to include the individual property's transient occupancy tax certificate number in all contracts, advertising and online listings;
11. Failure of the property owner to maintain current transient occupancy tax status.