

Short-Term Rental Task Force Starter Kit

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Introduction

The City and Borough of Juneau (CBJ), like many communities in Alaska, is popular with tourists and has had an active market for home-sharing for many years. As different methods of short-term rental (STR) for both rooms and entire dwellings have become more visible, and likely much more common, with the advent of digital home-sharing platforms (i.e., Airbnb, VRBO, etc.), there has been more interest in tracking this use of local housing units and potentially regulating various elements of the STR market. This document will provide background information on STRs with the goal of being a useful resource for the Short Term Rental Task Force.

Short Term Rental Task Force

The Short Term Rental Task Force was created in November 2024. According to the charge document, the purpose of the task force is to:

1. Review the number of STRs in relation to the availability of housing in Juneau.
2. Conduct a review of common regulatory options used by other municipalities, expressly focused on those regulations purposed to improve housing availability and affordability for long term uses.
3. Host a minimum of two public forum meetings, after which the task force shall consider the feedback received. Feedback may also be received electronically outside of the public forum meetings but in a defined time period established by the task force.
4. Create a matrix that evaluates and recommends various regulatory actions for STRs to improve housing availability in Juneau. This matrix should look at both short and long-term regulatory options in order to inform not only options to address the current STR and housing landscape, but also be the basis for the Assembly to take future action without the need to revisit this process if the landscape should change.

This document accelerates the task force's progress on items 1, 2, and 4.

Relevant CBJ Definitions

The following list of defined terms are sourced from the CBJ's Code of Ordinances. Each definition is followed by a code reference. It is important to keep these definitions in mind as code definitions do not always align with how the public perceives or uses the following words and phrases.

Bed and Breakfast means an owner-occupied dwelling with not more than one dwelling unit and not more than five guest rooms used for lodging for compensation on a transient basis. (CBJ 19.03.202)

Bed and Breakfast means a dwelling in which more than two bedrooms are used for commercial lodging provided by the owner or operator who lives on site. The term "bed and breakfast" includes boardinghouses and rooming houses. (CBJ 49.80.120)

Boardinghouse and **Rooming House** mean a dwelling in which more than two bedrooms are used for commercial lodging provided by the owner or operator who lives on site. The term "boardinghouse and rooming house" includes houses offering bed and breakfast. (CBJ 49.80.120)

Guest means an individual, corporation, partnership or association paying monetary or other consideration for the use of a short-term rental. (CBJ 69.40.010)

Home Occupation means any activity carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit, and meeting the following criteria:

- (1) The use of a dwelling unit for the home occupation is clearly incidental and subordinate to its use for residential purposes by its occupants, involves no employees, and takes up no more than 25 percent of the net floor area or 500 square feet, whichever is less, in the dwelling;
- (2) The home occupation results in no change to the outside appearance of the building and no other visible nonilluminated evidence of the conduct of such home occupation other than one nonprojecting facade-mounted sign one square foot or less in area;
- (3) The home occupation generates no traffic and requires no parking in excess of that normally to be found in the neighborhood; and
- (4) No equipment or process is used which creates noise, vibration, glare, fumes, odors or electrical interference off the site of the home occupation. (CBJ 49.80.120)

Hotel means a building offering transient lodging accommodations to the general public and which may provide additional services such as restaurants, meetings rooms or recreation facilities. (CBJ 49.80.120)

Motel means an establishment providing transient accommodations containing six or more rooms, at least 25% of which have direct access to the outside, without the necessity of passing through the main lobby of the building. (CBJ 49.80.120)

Operator means a person, firm, corporation, or other designated legal entity, who offers for rent or otherwise makes available in the City and Borough rooms for monetary or other consideration. (CBJ 69.40.010)

Person means an individual natural person. (CBJ 69.40.010)

Property and Properties means real estate offered by an operator as a short-term residential rental. (CBJ 69.40.010)

Rent and Rents means the amount paid or promised, in terms of money, as consideration for the use by a transient of a room in a hotel, motel or other place of public accommodation. (CBJ 69.40.010)

Short-Term Rental means a dwelling that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days. (CBJ 69.10.023)

Short-Term Residential Rental means a dwelling unit that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days. (CBJ 69.40.010)

Transient means a person who occupies or rents a unit, room or rooms for fewer than 30 consecutive days for the purpose of habitation. (CBJ 69.40.010)

Alaska Regulatory Context

Alaska does not have specific statewide regulations for STRs. A bill introduced to the State Legislature in 2023 that would limit STR owners to one unit in Alaska and require registration with the state failed to make it out of committee.¹

Rules for bed and breakfast operations found in the Alaska Administrative Code,² and the State of Alaska Requirements for Bed & Breakfasts prepared by the Alaska Department of Commerce, Community and Economic Development,³ could be interpreted to apply to STRs. The state divides bed and breakfast operations into the following categories:

- Owner occupied private residences of five or fewer rental rooms;
- Public accommodations with more than five rental rooms; and
- Public accommodation with no food permit and 12 guest rooms or less

Bed and breakfast operations with more than five rental rooms must comply with fire & life safety requirements and are subject to plan review by either the State Fire Marshal or subject municipality⁴; 18 AAC 30.400; pool and spa regulations; the federal Americans with Disabilities Act (ADA), and may require a food permit.



¹ HB 184 “An Act relating to short-term rental units; relating to the duties of the Department of Commerce, Community, and Economic Development; establishing a state short-term rental unit registry; and providing for an effective date.” <https://www.akleg.gov/PDF/33/Bills/HB0184A.PDF>

² 18 AAC 30.400 - Public Accommodations

³ https://dps.alaska.gov/getmedia/1eea248b-b076-4e21-bf7c-432325a8a450/b-b_requirements-2013

⁴ Fire code enforcement has been deferred to CBJ in Juneau

Juneau STR Context

Juneau, as a state capital and a tourist destination, has a particularly unique context when it comes to STRs. Juneau has two seasons that require accommodations for individuals who are not year-round residents. The traditional summer tourist season which runs roughly from May through September sees visitors from all over the world visit Juneau in search of unique tourist experiences and employment opportunities. In the winter, the Alaska State Legislature draws individuals from all over the state who must reside in Juneau during the legislative session. The Legislative Affairs Agency is currently soliciting for “clean, reasonably priced, furnished houses, apartments, and rooms to rent” for legislators and staff during the 2025 legislative session which is expected to run from January to May.⁵ Many of those furnished rentals likely spend their summers as seasonal/vacation homes for the property owner, employee housing for tourism-related businesses, or STRs for tourists. The Short Term Rental Task Force has a challenging task ahead to make recommendations which will keep the local housing ecosystem in balance with sufficient units for seasonal/transient use while acknowledging that there is also a very tight market for year-round rentals.

⁵ <https://akleg.gov/housing/index.php>

CBJ Regulations

At this time, CBJ has limited regulations related to STRs. A short-term residential rental registration program⁶ was created in 2023 which defines short-term residential rentals and requires registration of STRs with CBJ’s Finance Department. Additionally, STRs are specifically prohibited in downtown multifamily and high-density residential projects that are receiving CBJ property tax incentives.⁷

STRs are not defined within CBJ Title 49 – Land Use (zoning code). The closest relevant use is a home occupation which encompasses any activity carried out for gain by a resident that is conducted as an accessory use in the resident’s dwelling unit. Certain STR configurations could also be interpreted as a bed and breakfast, which is synonymous with the terms “boardinghouse” and “rooming house” in CBJ Title 49. Below are excerpts from the Table of Permissible Uses⁸ relevant to dwellings rented for a short duration.

Rooming, boardinghouses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.

RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
3	3	3	3	3	1, 3	1,3	1,3	1,3	1, 3	1	1	1, 3	1.3	3N		

Hotels, motels.

RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
3								1,3	1, 3	1,3	1,3	1, 3	1.3	3N	3N	

Single room occupancies with private facilities.

RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
					1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3	1,3		

Home Occupations.

RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

1 = Requires Community Development Department approval only

1, 3 = Community Development Department approval required is minor development, Planning Commission approval of conditional use permit required if major development

3 = Conditional use permit requires Planning Commission approval

N = Use must be water-dependent, water-related, or water-oriented

⁶ CBJ Chapter 69.40 – Short-Term Residential Registration Program; full text is available in the Appendix; created by Ordinance Serial No. 2023-26(c)(am).

⁷ CBJ 69.10.023 – Property Tax Incentives for Economic Development Property

⁸ CBJ 49.25.300, Table of Permissible Uses section 1.600 Miscellaneous rooms for rent

CBJ STR TIMELINE –

STRs have been a part of Juneau’s housing ecosystem for decades. It is in recent years that increased visibility of STRs, and easier entry for homeowners into the STR market, driven by digital home-sharing platforms has brought this topic to the attention of the Assembly multiple times. Below is a brief overview of recent Assembly discussions related to STRs.

- 2021
 - The Ironman triathlon came to Juneau and increased community interest and awareness in STRs and their potential for commercial use and housing impacts
- 2022
 - 6JUN22 COW⁹
 - Housing pressure was discussed, including staff notes that there had been increasing demands for STRs and employer assisted housing. At the time, 170 STR businesses were voluntarily registered with CBJ. Staff noted it is time consuming and challenging to monitor for non-payers (sales tax & hotel bed tax) given the nature of the business.
 - The idea of hiring a monitoring firm was discussed (and later implemented).
 - 7SEP22 Finance Committee¹⁰
 - The Assembly discussed, and ultimately adopted (Ord 2022-42), legislation that prohibits properties that may be eligible for tax abatement from being used as short-term rentals while receiving tax abatement.
 - 2NOV22 Finance Committee¹¹
 - The Assembly received a presentation from the Juneau Economic Development Council. A key takeaway: Both demographic changes (aging, lower housing density) and conversion of dwelling units to STRs have influenced the housing market. Demographic changes have been more significant than STR conversions. At the time, JEDC estimated Juneau had more than 300 and less than 600 active STRs and that 435 dwelling units had been converted to STRs between 2010 and 2020.
- 2023
 - 1MAR23 Finance Committee¹²
 - Staff presented an overview of STR data available through a monitoring firm, Harmari. At the time, the Harmari dashboard indicated 577 active & intermittent listings. Challenges with this data were discussed, including

⁹ [https://juneau-ak.municodemeetings.com/sites/juneau-ak.municodemeetings.com/files/2022-06-06 Assembly-COW Pkt.pdf](https://juneau-ak.municodemeetings.com/sites/juneau-ak.municodemeetings.com/files/2022-06-06%20Assembly-COW%20Pkt.pdf)

¹⁰ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Packet-4611b1b22c75451891aaaa173382ae4c.pdf>

¹¹ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Packet-4611b1b22c75451891aaaa173382ae4c.pdf>

¹² <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Packet-d272a27bd5594a51a817aebb9f1912b7.pdf>

difficulties with de-duplication of records, hosts listing across multiple platforms, 30+ day listings, and many others. Staff identified STR permitting (a registration program) as solutions to: poor data, increased tax compliance, potential ability to monitor for housing/code violations.

- The Assembly directed staff to draft legislation to establish a STR registration program and Assemblymember Smith requested staff later come back with a selection of regulatory restrictions for future discussion.
- 5JUN23 COW memo¹³ and minutes¹⁴
 - Staff provided a memo summarizing discussion on this topic to-date, outlining some regulatory options through examples enacted in other communities, and seeking further direction. The Assembly discussion on this topic was robust and ranged from some members wanting regulations in place soon to others wanting more discussion and more public input. The Assembly discussion included individual member questions and discussion around specific regulatory options, but consensus on any given option(s) were not sought at this meeting.
- 12JUN23 Regular Assembly¹⁵
 - Public testimony on Ord 2023-26, An Ordinance Creating a Short-Term Rental Registration Program and Providing for a Penalty was heard.
 - Public testimony was largely in opposition and largely from individuals with personal or business interests in operating STRs.
 - The Assembly considered adopting this ordinance, objection was noted, and ultimately voted 5-3 to refer it back to the COW.
- 26JUN23 COW packet¹⁶ and minutes¹⁷
 - A staff memo answering many of the questions brought up in testimony at the 12JUN meeting was presented and the Assembly worked through a series of amendments:
 - Amendment 1: Exempt B&Bs from registration
 - Failed, 4-4
 - Amendment 2: Strike 10-day requirement to register, change to quarterly
 - Amendment withdrawn

¹³ <https://mccmeetingspublic.blob.core.usgovcloudapi.net/juneauak-meet-808e23650f9f4c59800aec2c6d700eef/ITEM-Attachment-001-633992f542f841c0a80ef2ba5180aa9f.pdf>

¹⁴ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Minutes-808e23650f9f4c59800aec2c6d700eef.pdf>

¹⁵ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Minutes-6ad37ca489af49c5960694cfa0eff0a7.pdf>

¹⁶ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Packet-6f977d7bca234fcc91529877a816bce0.pdf>

¹⁷ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Minutes-6f977d7bca234fcc91529877a816bce0.pdf>

- Amendment 3: Strike 10-day requirement, change to 30 day requirement
 - Passed, unanimous consent
 - Amendment 4: Strike requirement that the operator provide contact information for an emergency point of contact.
 - Passed, unanimous consent
 - Conclusion: Ordinance 2023-26(b) moved, as amended, back to the Assembly
- 10JUL23 Regular Assembly - minutes¹⁸
 - Public testimony was heard on Ordinance 2023-26(c)
 - Similar to 12JUN23, testimony was largely in opposition from STR owners/operators
 - The Assembly discussion and action/amendment process was robust.
 - The Assembly inquired of staff whether STR platforms were willing to collect taxes directly from STR operators and remit those directly to CBJ. Staff indicated platforms have been challenging to work with.
 - Amendment 1: Redefine operator to allow designated legal entities to be operators.
 - Passed, 8-1
 - Amendment 2: Add a new section to Sec 2, clarifying the property owners is responsible for all taxes, etc.
 - Passed, unanimous consent
 - Amendment 3: Allowing for an exemption to registration to be waived by the Assembly for citywide events (e.g. Ironman).
 - Amendment withdrawn
 - Amendment 4: Change the effective date to be 60 days instead of 90 days
 - Failed, 4-5
 - Conclusion: Ordinance 2023-26(c) passed as amended
- 15APR24 COW – memo¹⁹ and minutes²⁰
 - A summary of recent action was presented, notable items include an estimated 79% registration compliance rate, approximately 82% of STRs are single (not shared) units, and approximately half of STR operators live onsite.

¹⁸ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Minutes-c1b60d008ae54a52af7ac3541320df2b.pdf>

¹⁹ <https://mccmeetingspublic.blob.core.usgovcloudapi.net/juneauak-meet-950de74fa9fa4a96be27a8d0ec38c2aa/ITEM-Attachment-001-ef4f2c86014545d589734882e8cbf368.pdf>

²⁰ <https://mccmeetings.blob.core.usgovcloudapi.net/juneauak-pubu/MEET-Minutes-950de74fa9fa4a96be27a8d0ec38c2aa.pdf>

Two regulatory categories were discussed – one that targets regulations to address housing availability/affordability concerns, and a second that targets regulations to address community wellbeing, health, and safety concerns.

- Pros and cons of regulatory action were summarized along with potential **time/use, economic, and geographic** regulations that could be considered to address the housing availability/affordability concerns.
- Direction was sought from the Assembly on regulatory next steps. General consensus on exploring options was evident in the discussion. Specific consensus on a path forward was more challenging. The Assembly landed on the creation of a STR task force.

Juneau STRs by the Numbers

Estimates vary, but STRs are thought to utilize a relatively small portion of Juneau’s housing inventory. Data published in the September 2022 issue of Alaska Economic Trends shows approximately 2.7% of Juneau’s housing stock as being part of the STR market. A more focused local analysis by Rain Coast Data in 2024 brought that number down to 1.4%, in part, by filtering out listings that are not for an entire dwelling unit (i.e., those that are limited to bedrooms within a home or apartment).

Location	STRs	Households	% of Households used for STR
Municipality of Anchorage	2323	118,293	1.96%
Kenai Peninsula	2149	31,330	6.86%
Mat-Su Borough	903	42,018	2.15%
Fairbanks North Star Borough	717	44,270	1.62%
City and Borough of Juneau	379	13,972	2.71%
City and Borough of Sitka	151	4,229	3.57%
Kodiak Island Borough	140	5,450	2.57%
Ketchikan Gateway Borough	127	6,427	1.98%
Chugach Census Area	72	3,287	2.19%
Wrangell-Petersburg	37	3,251	1.14%

Table adapted from data published in the September 2022 issue of Alaska Economic Trends

Juneau Short-Term Rentals, 2021-2024

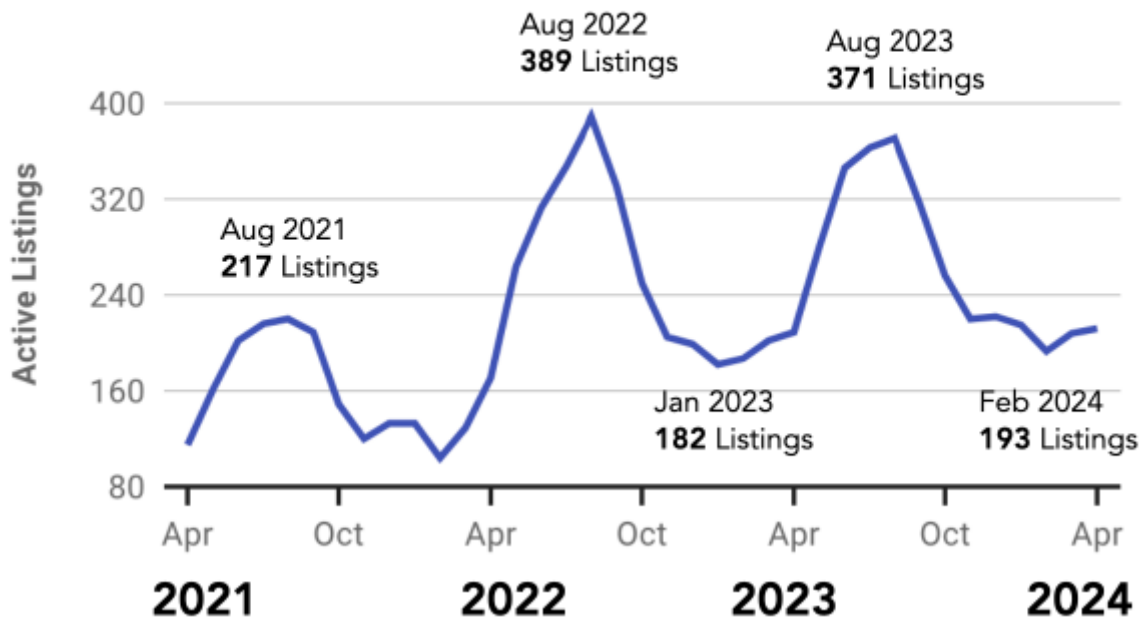


Figure originally published in Rain Coast Data Report – Juneau Housing Assessment – May 2024

In recent years, various sources have estimated the peak number of total STR listings in Juneau to be somewhere between 300 and 400 units. CBJ currently contracts with Avenu|STR (formerly, Harmari)

to track and identify STR listings in Juneau. Current data (November 27, 2024) shows 335 active rentals in Juneau with 6,578 bookings in the last 30 days. Of the 335 active rentals, slightly more than half are registered with CBJ as STRs (51.6%). In terms of platform popularity, Airbnb is far and away the most popular digital home-sharing platform in Juneau. Airbnb accounts for approximately 76% of STR revenues, VRBO is 20.5%, and the remainder consists of a mix of other platforms. Because the data used by Avenu|STR and other STR data companies is not acquired directly from home-sharing platforms, it is not 100% accurate. It is, however, a good indicator of the general size of the STR market in terms of listings and revenue.

One reason STRs are popular with Juneau homeowners is the fact that they are capable of generating more money per night than a long-term rental. The estimated average price per night for an STR in Juneau from May 2023 to April 2024 was \$260 per night according to Rain Coast Data. While 100% occupancy for an STR is not likely year-round²¹, it is quite attractive as a homeowner to consider that an average value STR could gross \$7,800 month and \$94,900 per year. The theoretical maximum average gross income for an STR is nearly three times that of a unit charging \$2,700 per month as a long-term rental. Even if a property owner did not pursue year-round operation as an STR, they could match the annual revenue of a high-income long-term rental within approximately 125 days as an average priced STR.

Rent Type	Daily Rate	Monthly Rate	Yearly Rate
Short-Term Rental	\$260	\$7,800	\$94,900
Low Income	\$60	\$1,800	21,600
Middle Income	\$75	\$2,250	\$27,000
High Income	\$90	\$2,700	\$32,400

Low, Middle, and High income rents based on analysis in July 2024 NW Douglas Sub Area Study Housing Need and Residential Financial Feasibility Findings memo by Agnew::Beck

While the theoretical maximum income from an STR is attractive, for many, the real-world operation of an STR is not. Tracking and paying sales and hotel tax, coordinating with multiple short-term tenants, and cleaning units between stays can be expensive and time consuming. Most Juneau STRs are operational during the summer tourist season, but it is estimated that only 17% of Juneau’s STRs are available 270 days per year or more.²²

Another reason why maximizing cash flow of dwelling units through STRs is an attractive option for property owners is that there is an estimated \$140,000 per unit gap between development costs for multifamily dwelling units and what they can generate as long-term rentals.²³ Anecdotally, we are

²¹ Summer STR listings are estimated by a 2024 Rain Coast Data report to have an occupancy rate of approximately 80%.

²² Based on 2024 Rain Coast Data report

²³ Estimate by Agnew::Beck in 2024 NW Douglas Sub Area Housing Need and Residential Financial Feasibility Findings memo; the “floating” pro forma analysis investigated a \$25M 80-unit project on 1.5 acres at that would be stick built with all major infrastructure stubbed to the site; the analysis assumed rents from \$1400-\$1900/month for units ranging from 400-1000 square feet.

seeing some projects in Juneau provide a mix of long-term and short-term units as one way to cover this large financial gap.

Review of Current STR Research

The development of STR policy has become a common and complicated issue in cities around the world. To broaden the viewpoints available to CBJ policymakers on the Task Force and the Assembly, a literature review was conducted of recent STR-related research findings. Much of the research was conducted in larger cities because they have more data to study. That said, the themes in the findings from these other communities are still highly relevant to Juneau which is a worldclass tourist destination. This review will discuss the positive and negative impacts of STRs, challenges with enforcement, and platform data sharing.

Positive Impacts

STRs are perceived to have, and have been empirically shown to have, positive impacts for property owners, business owners, and local governments. Benefits include financial rewards, supplemental accommodations for the tourism industry, and increased investments in new construction and building renovations.

Financial	Built Environment	Tourism
Increased Income for Homeowners	Increased Development of New Dwellings	Support for Tourism Companies and Jobs
Increased Local Government Tax Revenue	Increased Investment in Building Renovations	More Accommodation Choice for Tourists
Increased Property Values/Home Equity		Longer Stays by Tourists
Increased Foot Traffic/Sales for Local Businesses		

Perhaps the most commonly highlighted benefit of STRs is that they create revenues for homeowners, which, in some instances, makes the difference between affording to keep or purchase a home and losing a home or having to move to a less desirable neighborhood.²⁴ Associated with this perceived ability to create revenue is an increase in property values. Increased property values can result in increased equity for homeowners, increased property values for non-STR households, and increased property tax revenues for local governments. In New York City, a report published in 2016

²⁴ Nieuwland, S., & Van Melik, R. (2020). Regulating Airbnb: how cities deal with perceived negative externalities of short-term rentals. *Current issues in tourism*, 23(7), 811-825.; Bibler, A., Teltser, K., & Tremblay, M. J. (2022). Short-Term Rental Platforms and Homeowner Displacement: Evidence from Airbnb Registration Enforcement. *Andrew Young School of Policy Studies Research Paper Series Forthcoming*.

attributed 6-11% of increases in home values to the STR market.²⁵ In Los Angeles County, researchers found a 3.6% average increase in property value attributable to STRs.²⁶ More interestingly, that study found that the increase in property value was very closely tied to an STR's proximity to a tourist attraction with STRs near beaches realizing 5.8% increases and STRs near the Hollywood Walk of Fame increasing 14.7%.²⁷ This mirrors other findings that STRs are most concentrated in city centers and near tourist attractions.²⁸ The increase in property values will also be discussed in the next section as a negative STR impact.

STRs are also believed to increase investments in the development of new residential units and improvement of buildings to create new or improved residential units. A study published in 2023 found that STRs create a measurable incentive to pull permits to build new residential units.²⁹ The study looked at the impacts of STR regulations across jurisdictional borders in the Los Angeles metro area and found that jurisdictions with more stringent STR regulations saw 18% less residential permits than in the more permissive neighboring jurisdiction.³⁰

STRs can provide more choice in accommodations and, oftentimes, cheaper per person costs.³¹ The increased capacity for tourists through STRs has been found in case studies to support increased tourism employment; however, it's believed that the per STR benefit decreases as the STR market grows in size.³² STRs cater to what some call "new urban tourism" where tourists want an experience that is outside of the traditional tourist spaces, but still be near attractions and adjacent to city centers.³³

Negative Impacts

STRs are associated with several negative impacts; however, some perceptions outstrip the actual impacts found when researching specific cases. STRs are seen as disruptive forces in neighborhoods that can create nuisances and public safety issues; gentrify communities by displacing residents;

²⁵ Sheppard, S., & Udell, A. (2016). Do Airbnb properties affect house prices. *Williams College Department of Economics Working Papers*, 3(1), 43.

²⁶ Koster, H. R., Van Ommeren, J., & Volkhausen, N. (2021). Short-term rentals and the housing market: Quasi-experimental evidence from Airbnb in Los Angeles. *Journal of Urban Economics*, 124, 103356.

²⁷ Koster et al. (2021)

²⁸ Jiao, J., & Bai, S. (2020). An empirical analysis of Airbnb listings in forty American cities. *Cities*, 99, 102618.; Ioannides, D., Röslmaier, M., & Van Der Zee, E. (2019). Airbnb as an instigator of 'tourism bubble' expansion in Utrecht's Lombok neighbourhood. *Tourism Geographies*, 21(5), 822-840.

²⁹ Bekkerman, R., Cohen, M. C., Kung, E., Maiden, J., & Proserpio, D. (2023). The effect of short-term rentals on residential investment. *Marketing Science*, 42(4), 819-834.

³⁰ Bekkerman et al. (2023)

³¹ Calder-Wang, S., Farronato, C., & Fradkin, A. (2024) *What does banning short-term rentals really accomplish?* Harvard Business Review. <https://hbr.org/2024/02/what-does-banning-short-term-rentals-really-accomplish>

³² Fang, B., Ye, Q., & Law, R. (2016). Effect of sharing economy on tourism industry employment. *Annals of tourism research*, 57(C), 264-267.

³³ Nieuwland & Van Melik (2020)

and raise property values and rents. STRs are also capable of disrupting businesses like hotels, and local government services and budgets.

<p>Housing & Neighborhoods</p>	<p>Impacts to Housing Affordability and Availability</p> <ul style="list-style-type: none"> • Increased Property Taxes • Less Seasonal Employee Housing <p>Resident Displacement Gentrification/Alteration of Neighborhood Character Nuisance and Public Safety Concerns</p> <ul style="list-style-type: none"> • Crime • Noise • Illegal Building Conversions • Event/Party Houses
<p>Businesses & Local Government</p>	<p>Impacts to Hotels Cost of STR Program Management & Enforcement Impacts to Utilities Waste Management Challenges Disruptions to Public Transit</p>

As discussed in the previous section, STRs can drive up home prices. This can have negative impacts on those who are attempting to buy homes or move into particular neighborhoods. This can also impact homeowners with low- or fixed-incomes who do not participate in the STR market but are experiencing increased property taxes driven by the influence of STRs on home prices. While sizeable increases in property values have been attributed to STRs by some authors, the impacts on rents do not appear to be as extreme. A study of rent in New York City estimates that STRs are likely responsible for only about 1% of the overall rent increases across the previous decade.³⁴

STRs are commonly seen as a gentrifying force which alters the character of neighborhoods while displacing residents, particularly renters, in favor of more profitable short-term tenants. While STRs and tourism can be shown to contribute to gentrification, it is difficult to separate the impact of STRs from other factors driving gentrification in any given neighborhood.³⁵ Some may argue that proximity to city centers, transit, restaurants, and other desirable amenities would drive gentrification and increase home prices/rents regardless of the presence of STRs in the housing market. STRs are seen as taking housing units off the market for long-term renters, but there is also a case to be made for STRs creating more active neighborhoods by increasing tenancy in homes that would otherwise be empty while the owners are away. The benefits of STRs are not evenly distributed between neighborhoods and economic strata, often economically disadvantaged homeowners are not able

³⁴ Calder-Wang et al. (2024)

³⁵ Nieuwland & Van Melik (2020); Furukawa, N., & Onuki, M. (2022). The design and effects of short-term rental regulation. *Current Issues in Tourism*, 25(20), 3245-3260.

to effectively participate in STR markets and the benefits are concentrated in higher-income households and neighborhoods.³⁶

There are perceptions that increased numbers of STRs lead to increased rates of crime in neighborhoods. An important thing to keep in mind when considering this negative impact is that crime activity levels already tend to be elevated in tourist areas.³⁷ A study by van Holm & Monaghan found very small impacts attributable to STRs in regards to property crimes and disturbances from parties.³⁸ A study in Chicago that investigated connections between STRs and crime found no significant connections.³⁹

Other neighborhood disruptions attributed to STRs include increased competition for parking,⁴⁰ impacts to water systems due to density,⁴¹ an increase in unpermitted construction,⁴² and the closure of lower end hotels.⁴³

Enforcement Frameworks and Challenges

There are multiple approaches to STR regulation. Nieuwland & van Melik classify STR regulation regimes into three categories: laissez-fair, allowed with certain restrictions, and prohibited.⁴⁴ Furukawa & Onuki provide the following approaches: laissez-faire, general (all STRs are treated the same), residence oriented (strict restrictions on nonprimary/second homes used as STRs), host oriented (stricter rules for non-owner-occupied units), hybrid (different rules for different types of STR), and prohibitive.⁴⁵

There are many examples of STR regulations decreasing the number of STR listings in a community (at least temporarily), however, enforcement is regularly cited as one of the biggest challenges related to STR regulation. A study in Chicago found that active listings in the city declined 16.4% after the implementation of an STR ordinance, but there was no significant change in the aggregate amount of STR activity in regards to reservation days and average prices.⁴⁶ In New Orleans, the city was able to curb STR growth in the French Quarter through the creation and enforcement of STR

³⁶ Jiao & Bai (2020)

³⁷ van Holm, E. J., & Monaghan, J. (2021). The relationship of Airbnb to neighborhood calls for service in three cities. *Cities*, 116, 103241.

³⁸ van Holm & Monaghan (2021)

³⁹ Jin, G. Z., Wagman, L., & Zhong, M. (2024). The effects of short-term rental regulation: Insights from Chicago. *International Journal of Industrial Organization*, 96, 103087.

⁴⁰ Wegmann, J., & Jiao, J. (2017). Taming Airbnb: Toward guiding principles for local regulation of urban vacation rentals based on empirical results from five US cities. *Land Use Policy*, 69, 494-501.

⁴¹ Kasturi, P., & Loudat, T. (2014). Economic impact of transient vacation rentals (TVRs) on Maui County, Hawaii. *Global Journal of Management and Business*, 14(1).

⁴² Kasturi & Loudat (2014)

⁴³ Jorday, E., & Moore, J. (2018). An in-depth exploration of residents' perceived impacts of transient vacation rentals. *Journal of Travel & Tourism Marketing*, 35(1), 90-101.

⁴⁴ Nieuwland & Van Melik (2020)

⁴⁵ Furukawa & Onuki (2022)

⁴⁶ Jin et al. (2024)

regulations, however, that restriction pushed STR growth into other neighborhoods and, after a brief period of decline in citywide listings, the number of STRs resumed a growth trajectory.⁴⁷

Because most cities don't have access to timely and accurate STR data, enforcement is difficult, expensive, and often ineffective. Additionally, most cities don't have the budget or political will to prioritize STR enforcement,⁴⁸ and the revenue derived from STR-related fees may not exceed the funds spent on the administration of an STR enforcement program. Any efforts toward the creation of STR ordinances must be balanced with regard for a community's ability to enforce the new regulations.

Platform Data Sharing

STRs exist in a policy space between housing and tourism. The tensions between these two very different policy areas matched with privately-owned digital home-sharing platforms has created a very challenging regulatory context. Most local governments are faced with situations in which they hold significant amounts of regulatory authority but very little access to timely and accurate STR data. This "datapower" imbalance favors home-sharing platforms and seen as a component of "platform urbanism" which is an emerging concept describing the influence of digital platforms on built environments, economic markets, and governance systems.⁴⁹

Platform data sharing is widely viewed as the most impactful tool for STR regulation,⁵⁰ unfortunately, it is not one readily available to most communities. Generally, larger cities have more success accessing platform data than smaller communities, however, even large cities have struggled to get complete and useful datasets from digital home-sharing platforms. When communities do have access to platform data, they are better able to target code enforcement,⁵¹ they see higher levels of voluntary compliance,⁵² they are able to have noncompliant listings removed from platforms more easily,⁵³ and they "decrease the tendency towards a growing professionalization of the market."⁵⁴ In Chicago, researchers found that professional multi-unit STR operators were more likely to convert to a long-term rental business model after Airbnb began sharing data with the city (the pattern did not extend to operators with one unit).⁵⁵ A study of STR enforcement in twelve European cities observed

⁴⁷ van Holm, E. J. (2020). Evaluating the impact of short-term rental regulations on Airbnb in New Orleans. *Cities*, 104, 102803.

⁴⁸ Colomb, C., & Moreira de Souza, T. (2023). Illegal short-term rentals, regulatory enforcement and informal practices in the age of digital platforms. *European Urban and Regional Studies*, 09697764231155386.

⁴⁹ Soderstrom, O., & Mermet, A. C. (2020). When Airbnb sits in the control room: Platform urbanism as actually existing smart urbanism in Reykjavik. *Frontiers in Sustainable Cities*, 2 (15), 1-7.

⁵⁰ Jin et al. (2024); Bei, G., & Celata, F. (2023). Challenges and effects of short-term rentals regulation: A counterfactual assessment of European cities. *Annals of Tourism Research*, 101, 103605.; Jiao & Bai (2020)

⁵¹ Colomb & Moreira de Souza (2023)

⁵² Jin et al. (2024)

⁵³ Calder-Wang et al. (2024)

⁵⁴ Bei & Celata (2023)

⁵⁵ Jin et al. (2024)

that “interviewed city officials repeatedly stressed that effective enforcement is impossible without the collaboration of platforms.”⁵⁶

Platform data is the one aspect of STR regulation in which the local government has the least power and leverage. However, the benefits of working with platforms to gain access to data and receive voluntary removal of noncompliant STR listings makes seeking a data-sharing agreement a worthwhile endeavor for any town struggling with STR policy and enforcement issues.

⁵⁶ Colomb & Moreira de Souza (2023)

Regulation Methods

Common categories of STR restrictions include quantitative restrictions (i.e., caps on the number of permits issued, days operated, etc.); local restrictions (geographic areas in which STRs are allowed); density restrictions (i.e., how many STRs in a neighborhood); and qualitative restrictions (i.e., the type of STR, owner-occupied, corporate, etc.).⁵⁷ The table below provides descriptions of common types of STR regulations.

Type of Regulation	Description
Permit/License Requirements	Requires an STR owner to obtain a permit or license before operating; details and processes vary by jurisdiction
Zoning Restrictions	Adding STR definitions and specifying allowed zoning districts to control where STRs can operate (NB: in their discussions, the Assembly was generally less interested in regulating via land use & zoning versus regulating via standalone policy)
Neighborhood and/or Building Restrictions	Regulating STRs at the neighborhood or building level to address localized impacts
Density Limits	Setting limits on the number of STRs within a geographic area or requiring minimum distances between STRs
STR Bans	Prohibiting STRs entirely
Cap on STR Units	Limiting the total number of STRs allowed within the community
Cap on STR Days of Operation	Restricting the number of days an STR can be rented annually to preserve residential use
Minimum Rental Periods	Setting a minimum number of nights per stay to discourage STRs or certain property uses
Maximum number of STR Permits per Person/Entity	Capping the number of permits per owner to limit market professionalization and favor small operators
Owner Occupancy Requirements	Requiring owners to live on-site part-time, full-time, or within a certain distance to manage the property
Residency Requirements	Mandating that STR operators be city or state residents
Platform Data Sharing	Requiring platforms to share STR data with local governments and remove non-compliant listings

⁵⁷ Nieuwland & Van Melik (2020)

The matrix provided below is intended as a starting point for the task force to discuss and consider different regulatory methods. The impacts discussed below may or may not materialize in Juneau’s STR market if specific STR regulation methods are applied.

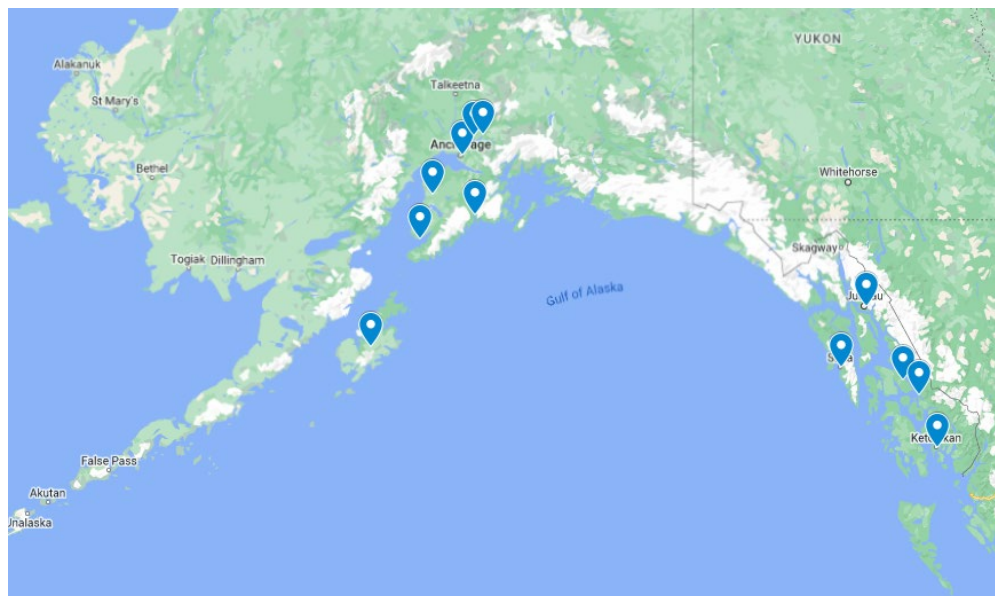
Regulation Method	Benefits & Positive Impacts	Challenges & Negative Impacts
Permit/License Requirements	Creates accurate STR data for local governments; generates revenue for enforcement; creates accountability for operators	Time-intensive to implement and enforce; may deter some current or potential operators
Zoning Restrictions	Preserves neighborhood character; focuses STR concentration in areas suited for tourism minimizing neighborhood disruption	Restricts property use; could impact property values in restricted zones
Neighborhood and/or Building Restrictions	Allows for neighborhoods or buildings to allow or opt-out from STR use	Creates complexity in enforcement and confusion for operators; could create arbitrary winners and losers
Density Limits	Prevents oversaturation in neighborhoods; helps to preserve long-term housing stock	Reduces opportunities for new STRs; potentially favors early or wealthier adopters of STR business model
STR Bans	Simple to understand and communicate; only allows for housing units to be used as long-term rentals (30 days or more)	May harm tourism economy; encourages illegal STRs and unregulated activity
Cap on STR Units	Controls STR market size; ensures long-term housing availability for residents	Reduces income opportunities for new operators; potentially favors early or wealthier adopters
Cap on STR Days of Operation	Encourages longer stays which reduces transient rental impacts; supports residential neighborhood character	Limits flexibility for travelers and operators; may effectively ban STRs with overly strict thresholds; difficult to enforce
Minimum Rental Periods	Reduces the amount of turnover between short term tenants which is assumed to minimize disruption to the neighborhood	Could create “dark houses” that sit empty instead of hosting visitors while the owner is not using the home
Maximum number of STR Permits per Person/Entity	Limits market domination by large entities; keeps STR opportunities accessible to smaller operators	Reduces economy of scale for professional operators; may encourage workarounds like proxy ownership
Owner Occupancy Requirements	Ensures responsible management and on-site accountability; preserves neighborhood character	Excludes remote property owners; may reduce STR availability and investment in local properties
Residency Requirements	Retains STR income within the community; aligns STR use with local needs and enforcement capacity	Disqualifies property owners who would otherwise be responsible STR operators; Could create “dark houses” that sit empty instead of hosting visitors while the owner is not using the home
Platform Data Sharing	Improves regulatory compliance; aids code enforcement; provides ability to have noncompliant listing removed from platform; Smoother STR tax collection	Negotiating a data sharing agreement can be time consuming and difficult; the data provided may be incomplete and/or difficult to use

Other Cities: Examples of STR Regulation in Alaska

Within Alaska there is a wide spectrum of approaches to STR regulations - some municipalities provide no regulatory guidance at all while others are extremely prescriptive with the STR regulations. Juneau currently falls on the less restrictive end of the spectrum with a limited registration program.

A sample of 13 Alaskan local governments was reviewed to examine their approaches to STR regulations. For municipalities with adopted STR regulations, key elements were identified, analyzed, and summarized in a table below which highlights the different regulatory components addressed by each municipality.

Notably, municipalities that do not have permitting programs have still been very active regarding their approaches to STRs. The City of Homer and the Municipality of Anchorage recently considered ordinances to create STR licensing programs and both attempts failed despite being relatively restrained in their regulatory approaches.⁵⁸ The City and Borough of Petersburg doesn't have STR regulations in code, however, their 2023 Housing Needs Assessment⁵⁹ included a goal to “quantify short term rentals and vacation homes and their impact on housing need” and suggested the monitoring of STRs and “dark homes” to inform any future regulatory actions.



Map of municipalities reviewed for STR regulations

⁵⁸ The Homer City Council rejected an STR registration ordinance in February 2024: <https://alaskapublic.org/2024/02/29/homer-city-council-rejects-attempt-to-regulate-short-term-rentals/>; Anchorage Assembly passed an ordinance that was vetoed by Mayor Bronson in March 2024: <https://alaskapublic.org/2024/03/20/anchorage-assembly-oks-short-term-rental-licensing-program/>

⁵⁹ 2023 Petersburg Borough Housing Needs Assessment https://www.petersburgak.gov/sites/default/files/fileattachments/community_development/page/2615/petersburg-housingneedsassessment-finalreport.pdf

	Anchorage	Homer	Juneau	Ketchikan Gateway	Kodiak Island	Palmer	Petersburg	Seward	Sitka	Soldotna	Wasilla	Wrangell
Permit Required ⁶⁰			X	X	X	X		X	X	X	X	
Permit Number Must be on Ads			X			X		X			X	
Annual Permit Renewal			X			X					X	
Permit is Non-Transferrable									X		X	
Cap on Number of STR Permits											X	
Cap on Number of STR Permits/Entity											X	
Permit Revocable for Non-Use									X	X		
Prohibition on STR Subletting								X				
Cap on Number of STR Units per Parcel								X			X	
Cap on Number of Guestrooms								X		X		
Cap on Number of Guests									X	X	X	
Neighbor Notice Requirements						X					X	
Owner Occupancy Requirements ⁶¹								X	X			
Alaska Residency Required											X	
On-Site Management												
Local 24/7 Contact						X				X	X	
Commercial Insurance Required								X			X	
Building and/or Fire Codes Compliance						X			X		X	
Inspections Required								X	X		X	
Fire Safety Requirements								X			X	
Cooking Facility Restrictions								X			X	
Exterior Sign Rules						X				X	X	
Required Interior Signage						X					X	
Events Prohibited						X					X	
Noise Standards						X						
Prohibited Use Combinations (i.e., ADUs, Childcare)						X						X ⁶²
STR Parking Standards				X		X		X	X	X	X	
Pet-Related Requirements				X							X	
Prohibition on Non-House STRs (i.e. Tents, RVs)											X	
Records Available for Inspection												
Platform Reporting Required	X											

⁶⁰ Includes STR permits, zoning clearances, conditional use permits, tax compliance certificates, etc.

⁶¹ Owner occupancy typically limited to residential zone districts

⁶² Allowed with a conditional use permit

Appendix: Example Short-Term Rental Codes from Alaska

Note: Code examples were sourced November 2024 and are subject to change.

Municipality of Anchorage

https://library.municode.com/ak/anchorage/codes/code_of_ordinances?nodeId=TIT12TA_CH12.20ROTA_12.20.031REHOPL was recently edited by [AO No. 2024-81\(S\)](#)

12.20.031 – Registered hosting platforms.

A. *Registration, collection, and remittance required.* Every hosting platform that agrees to accept room rental payment from a guest pursuant to section 12.20.020, subject to exemption rules specified in section 12.20.031A.1., shall obtain a certificate of registration prior to offering services to operators subject to this chapter, and shall collect room tax and remit the tax to the department on behalf of all operators for which it provides this service.

1. Exemptions.

a. The following rules apply to exemptions from subsection A:

i. Branded hosting platforms used exclusively for a particular hotel brand and its affiliates are exempt from registration.

ii. Tour companies, travel booking agents, and wholesale room sellers are exempt from room tax collection and remittance to the department for each room rental transaction meeting the following criteria:

(A) Sales of room nights for stays at an operator's individual property with ten or more rooms that is properly registered with the municipality, per the treasury division's online published list of registered operators; and

(B) Collection of room tax and payment of funds to the registered operator, either through direct transfer or subsequent billing from the registered operator.

b. Any hosting platform subject to subsection A that is wholly involved in room rental transactions covered by this subsection A.1. shall not be required to register, collect, and remit room tax to the department.

B. *Application.* Application for a certificate of registration shall be made to the chief fiscal officer on a form provided by the department containing such information as the department may require. There shall be no charge for issuing a certificate of registration.

C. *Responsibilities.* An operator who uses a registered hosting platform as the sole method for renting or offering for rent a room shall not be subject to this chapter to the extent the registered hosting platform performs the responsibilities of an operator, with the exception of section 12.20.070, maintenance and inspection of records.

D. A hosting platform applying for a certificate of registration under this chapter shall provide security for its fiduciary performance in accordance with section 12.20.035. Evidence of such security shall be submitted to the department with the application.

E. Taxes collected by a registered hosting platform pursuant to this chapter shall vest in the municipality upon collection. The hosting platform has a fiduciary duty to the municipality for these taxes. The taxes shall be segregated from the hosting platform's funds, at least by book account, and held in trust for the exclusive benefit of the municipality until remitted to the municipality.

F. A registered hosting platform is not required to submit informational returns in accordance with section 12.20.045.

G. A registered hosting platform shall submit tax returns and remit tax payments in accordance with sections 12.20.050 and 12.20.053, except that the tax return shall set forth or include the aggregate amounts of all rents earned by and taxes due from the operators who use the hosting platform to rent or offer to rent rooms through the hosting platform. To the extent a hosting platform collects taxes on behalf of an operator, the operator's liability for those taxes shall be deemed satisfied.

1. In addition to the foregoing tax return information, a registered hosting platform shall submit contemporaneously with the tax return a list of all rooms rented from operators who used the hosting platform to rent or offered to rent those rooms and for which the hosting platform collected taxes. Notwithstanding section 12.20.060, the statistical information derived from these supplemental room information reports is public. The supplemental room information submittal shall include:

a. the number of operators the taxes are submitted on behalf of.

b. for each room rented during the reporting period: the location information that is displayed on the public listing on the hosting platform, whether it is a room or an entire dwelling unit, and if an entire dwelling unit whether it is a single-family home, duplex, triplex, accessory dwelling unit, or multifamily construction.

i. the location information may be reported in an aggregated methods by a geographic area delineation as determined by the chief fiscal officer

H. A registered hosting platform shall obtain and preserve evidence sufficient to support all room rental transactions subject to this chapter and all claimed exemptions from payment, collection, or remittance of the room taxes under this chapter in accordance with section 12.20.070. To the extent a hosting platform may assign anonymous account numbers to operators using the hosting platform, when inspecting records the department shall inspect the required records in an anonymized fashion, unless the department has obtained a release of information from the operator or an order to produce identifiable operator information issued through a binding legal process.

I. A registered hosting platform is not subject to section 12.20.090, tax lien.

J. Except as expressly provided for in this section, a hosting platform is subject to all other provisions of this chapter.

City and Borough of Juneau

https://library.municode.com/ak/juneau/codes/code_of_ordinances?nodeId=COLABOJUALVOII_TIT69RETA_CH69.40SHRMREPEREPR

Chapter 69.40 – Short-Term Residential Rental Registration Program

69.40.005 - Short-term residential rental registration program intent.

The purpose and intent of this chapter is to require registration of short-term residential rentals within the City and Borough of Juneau. An operator offering or using a property as a short-term residential rental shall annually register such property in the short-term residential rental registry maintained by the CBJ Sales Tax Office.

69.40.010 - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Guest means an individual, corporation, partnership or association paying monetary or other consideration for the use of a short-term rental.

Operator means a person, firm, corporation, or other designated legal entity, who offers for rent or otherwise makes available in the City and Borough rooms for monetary or other consideration.

Person means an individual natural person.

Property and *properties* means real estate offered by an operator as a short-term residential rental.

Rent and *rents* means the amount paid or promised, in terms of money, as consideration for the use by a transient of a room in a hotel, motel or other place of public accommodation.

Short-term residential rental means a dwelling unit that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days.

Transient means a person who occupies or rents a unit, room or rooms for fewer than 30 consecutive days for the purpose of habitation.

69.40.020 - Registration required.

(a) The operator of a short-term residential rental must register with the CBJ sales tax office on a form or platform specified by the CBJ prior to offering a unit for rent.

(b) Registration must be renewed annually.

(c) The CBJ will provide a rental registration number for each registered short-term residential rental. The registration number must be displayed on each advertisement or public listing for a short-term residential rental that the operator or operator's designee maintains.

(d) There is no fee for registration.

(e) The operator shall provide the CBJ with the following at the time of registration:

(1) Their state business license number.

(2) Name, address, phone number, and email address for the operator or operator's designee.

(3) A general description of the short-term residential rental unit, to include address, property type, number of bedrooms, and capacity.

(f) If there is a change in the information submitted pursuant to subsection (e) of this section, a new registration must be completed within 30 business days.

(g) The property owner of the short-term rental is responsible for taxes, fees, interest, and/or penalties associated with the rental.

69.40.030 - Penalty.

(a) Renting, or offering for rent, a short-term residential rental without complying with the registration requirement in section 69.40.020 is prohibited.

(b) An operator required to register a property pursuant to this chapter who offers or uses such property without being registered is subject to a penalty in the amount of \$25.00 per violation. A separate violation shall be deemed committed each day during or on which a property is offered or used as a short-term residential rental without registration. Such operator may not offer or use, or continue to offer or use, such property for a short-term residential rental, unless and until the penalty is paid and the property is properly registered.

69.40.040 - Exemptions.

The registration required under this chapter shall not be required of:

(1) Hotels required to keep a register under chapter 20.10 and taxed pursuant to chapter 69.07.

Ketchikan Gateway Borough

<https://ketchikangateway.borough.codes/KGBC/18.50.020>

18.50.020 – Permitted Uses with Standards

(d) “B” Uses.

(1) *Bed and Breakfast.*

- a. *Intent.* Bed and breakfasts are permitted to allow entrepreneurs an opportunity to use a portion of their home as a source of additional income by providing temporary lodging. Guests are provided lodging in the business owner’s home. Services are limited to bed and breakfast guests, and the number of guests is limited to reduce the impact on neighboring properties.
- b. *Application.* In addition to the application requirements contained in KGBC 18.90.020, the following information is required to provide evidence that the standards contained in subsection (d)(1)(c) of this section are met.
 1. A floor plan of the home with the areas to be used by guests identified.
 2. A copy of the State of Alaska business license for the bed and breakfast.
- c. *Development Standards.* In addition to the setback, height, and area standards of the zone in which the use is located, the following standards must be met:
 1. No more than three bedrooms may be used.
 2. No more than 10 guests may occupy the dwelling at a time.
 3. The use may only occur in a one- or two-family dwelling, or a DADU.
 - i. A DADU with three or fewer bedrooms may be used exclusively as a bed and breakfast if the business owner resides in the principal dwelling.
 4. Continuous occupancy by any guest is limited to three weeks.
 5. Accessory uses such as gift shops, retail sales of any kind, serving meals to non-bed and breakfast guests, or the hosting of banquets, wedding receptions, and similar events is prohibited.

(u) “S” Uses.

(1) *Short-Term Rentals.*

- a. *Intent.* To provide the owner of a dwelling unit the opportunity to take advantage of the demand for short term housing by visitors, temporary workers, and others seeking an experience that is different from that provided by more traditional institutions such as hotels and motels.
- b. *Application.* As contained in KGBC 18.90.020.
- c. *Development Standards.*
 1. Parking: One parking space per short-term rental.
 2. Signage: Signage shall be subject to the requirements of the zoning district the use is located in.

Kodiak Island Borough

<https://kodiakisland.borough.codes/KIBC/17.15.110>

17.15.110 – Bed and breakfasts, lodges, motels, hotels and vacation homes.

Prior to the beginning of a bed and breakfast, lodge, motel, hotel, or vacation home, a copy of the certificate of registration for the transient accommodation tax (KIBC 3.55.080) or, if applicable, the certificate of exemption from that tax (KIBC 3.55.060), must be submitted to the community development department. Upon receipt of the certificate of registration or certificate of exemption, a certificate of zoning (Chapter 17.185 KIBC) shall be issued. [Ord. 2007-08 §2. Formerly §17.03.110].

City of Palmer

<https://palmer.municipal.codes/PMC/17.89>

Chapter 17.89 Short-Term Rentals

17.89.010 Purpose and intent.

The purpose of this chapter is to provide for the regulation of short-term rentals in certain zoning districts within the city in order to preserve neighborhood character while encouraging economic activity and diversity, and to promote public health, safety, and welfare.

17.89.020 Definitions.

“Bed and breakfast” means a private residential property providing up to 15 guest rooms for accommodation of travelers with breakfast in a common eating area.

“Bed and breakfast homestay establishment” means an owner-occupied residential property where short-term lodging is provided that contains no more than five guest rooms and where breakfast service may be provided to overnight guests only.

“Bed and breakfast inn” means a resident-managed residential property where short-term lodging is provided that contains no more than 15 guest rooms and where breakfast service may be provided to overnight guests only.

“Hosting platform” means a person or entity that provides a means through which an owner may advertise and offer for rent a short-term rental to the general public.

“Operation of” or *“operating”* means the short-term rental has been rented by or on behalf of the owner to the general public for compensation for transient occupancy. “Operation of” or “operating” a short-term rental does not include mere advertisement of or offering to rent short-term rental(s).

“Owner” means any person named on the deed, a contract purchaser, or the beneficiary of a trust named on the deed.

“Owner occupied” means owner must reside on the property and be present at the property for the duration of any short-term rental.

“Responsible person” means the person responsible for addressing all maintenance, nuisance, and safety concerns related to a short-term rental.

“Short-term rental” means a residential dwelling unit(s) that is rented out for compensation on a temporary basis, to a single person or group for a period of less than 30 consecutive days.

17.89.030 Short-term rental classifications.

Short-term rentals are classified as:

Type-1: A short-term rental of one or more bedrooms in an owner-occupied dwelling, to a single person or group, while the owner is occupying the same dwelling unit for the entire rental period.

Type-2: A short-term rental of a single family or duplex residential property where short-term lodging is provided to only one group at a time per dwelling unit. The owner of the property is or is not present at the property for the duration of any short-term rental.

Type-3: A short-term rental of a multifamily residential property where short-term lodging is provided to only one group at a time per dwelling unit. The owner of the property is or is not present at the property for the duration of any short-term rental.

Type-4: A “bed and breakfast homestay establishment” means an owner-occupied residential property where short-term lodging is provided that contains no more than five guest rooms and where breakfast service may be provided to overnight guests only. The owner must reside on the property and be present at the property for the duration of any short-term rental. The property may be rented out to multiple short-term lodging groups at a time.

Type-5: A “bed and breakfast inn” means a resident-managed residential property where short-term lodging is provided that contains no more than 15 guest rooms and where breakfast service may be provided to overnight guests only. The resident manager must reside on the property and be present at the property for the duration of any short-term rental. The property may be rented out to multiple short-term lodging groups at a time.

17.89.040 Application and approval.

- A. An application for a short-term rental permit shall be initiated by the owner on a form prescribed by the zoning administrator. For the purposes of this chapter, the “owner” shall mean any person named on the deed, a contract purchaser, or the beneficiary of a trust named on the deed and is valid for a period of one year.
- B. All applications for a permit shall be accompanied by a payment of the fee(s) according to the current, adopted budget.
- C. The zoning administrator shall review the application for code compliance within 30 calendar days.
- D. Short-term rentals shall conform to all applicable codes, laws, and regulations.
- E. A site plan with a description of the short-term rental, including street address, number of bedrooms, and number of off-street parking spaces available for guests’ use.
- F. The zoning administrator shall notify the applicant in writing of approval or denial. Approved applications shall be issued a short-term rental permit.

17.89.050 Annual renewal.

Application for renewal of a short-term permit and payment of the renewal fee shall be made before February 1st of the applicable year.

17.89.060 General provisions.

The following provisions apply to the operation of short-term rentals:

- A. It is unlawful for any person to operate within the city a short-term rental without having been approved by the department of community development. A separate registration shall be required for each short-term rental.
- B. Short-term rentals shall conform to all applicable codes, laws, and regulations.
- C. A short-term rental shall not be permitted on any lot with an accessory dwelling unit or child care center. Other home occupations shall be allowed, subject to existing regulations.
- D. A short-term rental permit is not transferable to any other property or person. When a property with a short-term rental is sold or otherwise transferred, the new owner must apply for a permit as set forth in PMC 17.89.040 within 60 days from the date of transfer.
- E. *Additional Notice Requirements.* For registrations and registration renewals of Type-1, Type-2 or Type-4 short-term rentals as defined in PMC 17.89.030 in R-1, R-1E and R-2 residential zoning districts, the applicant must give notice on a form provided by the city to each residence adjacent, including those residences adjacent across a public right-of-way and properties connected to the applicant’s property by property corners. The notice must include a description of the proposed use and the name, address, telephone number and email address (if any) of the responsible person.

17.89.070 Standards.

- A. One additional parking space for each bedroom or dwelling unit rented shall be provided, in addition to the parking requirements required in Chapter 17.64 PMC, Parking and Loading. No on-street parking shall be allowed for short-term rental facility guests.
- B. The exterior of the building shall not reflect the operation of a short-term rental there, except that one sign, not to exceed four square feet in area, is permitted in all residential districts.
- C. The responsible person shall be available at all times the property is being rented. A sign must be posted conspicuously in the common area of each unit and shall contain all of the following information:
 - 1. The name and contact information of the owner and/or responsible person; and
 - 2. The license number of the short-term rental facility; and
 - 3. The occupancy limits and requirements set forth in the license.
- D. The owner of the short-term rental must ensure that use of the short-term rental by guests is in compliance with the noise provisions of Chapter 8.36 PMC.
- E. The operation of a short-term rental is permitted as indicated in the following districts:

	Type 1	Type 2	Type 3	Type 4 (Bed and Breakfast Homestay)	Type 5 (Bed and Breakfast Inn)
R-1	CUP	N	N	N	N
R-1E	CUP	CUP	N	CUP	CUP
R-2	P	P	N	P	CUP
R-3	P	P	P	P	CUP
R-4	P	P	P	P	P
Agri	P	P	P	P	P
C-L	P	P	P	P	P
C-G	P	P	P	P	P

Key:
 P = Permitted
 N = Not permitted
 CUP = Conditional Use Permit

- F. The licensee shall comply with the quiet hours established in PMC 8.36.025.
- G. The licensee will comply with all building, electrical and other city codes and ordinances.
- H. Functions such as meetings, receptions, weddings and other social events provided for compensation or held by guests are not permitted as part of the short-term rental use unless such residential property is located in an agriculture district or commercial zoning district.
- I. The license number and occupancy limit shall be included in all marketing materials, advertisements, and online listings for the short-term rental.
- J. A residential dwelling incorporating a Type-4 as an accessory use shall be a minimum of 2,000 square feet.

17.89.080 Standards for a conditional use permit.

In addition to the requirements of PMC 17.72.050, the following standards shall be met for a conditional use permit, if required:

- A. The use shall not unreasonably interfere with or cause undue annoyance to residential uses by reason of visual appearance, bright or flashing lights, odor, noise, dust, traffic, or other negative effects.
- B. Sufficient access is provided.

C. Conditions may be imposed by the commission with respect to location, screening, fencing, buffering, hours of operation, traffic, landscaping, setbacks or otherwise if reasonably necessary to satisfy these standards.

D. A Type-1 short-term rental must be on a minimum lot size of 20,000 square feet.

17.89.090 Signs.

In agriculture and commercial districts, signs for a short-term rental shall meet PMC 14.08.080.

17.89.100 Violations – Enforcement.

A. *Registration Suspension or Revocation.* The zoning administrator may suspend or revoke a short-term rental permit when the licensee commits one or more of the following acts or omissions:

1. Failure to comply with any provision of this title.
2. Operating or allowing the operation of the short-term rental in such a manner as to create a public nuisance, cause a breach of the peace, constitute a danger to the public health, safety, welfare or morals, or interfere with the rights of abutting property owners.
3. The securing of the registration by fraud or misrepresentation to specifically include false or incorrect information on the registration application.

B. *Procedure.* Should the zoning administrator decide to suspend or revoke a registration, the licensee will be given notice and an opportunity to respond following the procedures in this subsection, except that should the zoning administrator determine the short-term rental or its operation presents a safety hazard or requires immediate remedy, the zoning administrator may order operation of the short-term rental to cease immediately.

1. The licensee will be notified in writing by the zoning administrator at least seven days prior to the action contemplated and the reasons therefor.
2. Upon receipt of the notice, the licensee may request a meeting with the zoning administrator. Such request must be in writing and must be received by the zoning administrator within seven days of the licensee's receipt of the notice. Failure on the part of the licensee to request in writing a meeting and within the specified time period shall be a waiver of the licensee's right to a meeting.
3. If a meeting is requested by the licensee, the zoning administrator will set a time, date and place and will so notify the licensee, in writing.
4. When a meeting is conducted, the city will present the evidence supporting the contemplated action. The zoning administrator may request evidence be presented by other parties. The licensee may present evidence. The zoning administrator will take all evidence admitted under advisement and once a decision has been made the zoning administrator will notify the licensee of the findings and decision in writing.

C. *Appeal.* Any person aggrieved by a decision of the zoning administrator will have the right to appeal to the commission by following the procedures in PMC 17.89.110.

17.89.110 Appeals – Generally.

A. *Appeals – Standing.* Any person or persons aggrieved by an action or determination taken under this chapter may appeal said action or determination.

B. *Jurisdiction.* Appeals of actions and determinations of the zoning administrator are heard by the commission. The commission's action may be appealed pursuant to Chapter 17.98 PMC by any party, including a city official.

C. *Time Limitation.* An appeal of a decision of the zoning administrator or of the commission must be filed within 20 calendar days of the action or determination being appealed. The right of appeal is forfeited unless a written appeal is delivered to the clerk within 20 calendar days of the zoning administrator's or commission's action or determination. Computation of the time period for filing an appeal shall commence with the date on which the action or determination is mailed or delivered to the parties involved. Any decision not appealed within this time limit shall become final.

D. *Applications.* The appeal application for each appeal shall be filed with the clerk, on a form prescribed by the city clerk, and contain at least the following information:

1. The name and address of the appellant and that of the appellant's representative, if appellant is represented; and
2. A description of the action or determination from which the appeal is sought; and
3. The reason for the appeal which must show a grievance to the applicant.

E. *Fees.* All applications for appeals shall be accompanied by a payment of a non-refundable fee according to the current, adopted budget.

17.89.120 Appeal notice and hearing before commission.

A. Upon receipt of a valid application appealing an action or determination of the zoning administrator, the clerk shall schedule an appeal hearing before the commission to be held within 45 days. All parties to the action or determination being appealed shall be provided with written notice not less than 15 days prior to the appeal hearing.

B. Written statements are to be submitted to the clerk as follows:

1. An appellant may file a written statement summarizing the facts and setting forth pertinent points and authorities in support of the points contained in the notice of appeal, provided such statement must be filed not less than 12 days prior to the date set for the appeal hearing.
2. Any interested party wishing to file a written statement in rebuttal to the appeal may do so, provided such statement must be filed not less than six days prior to the appeal hearing date.

C. At the hearing the order of presentation is as follows:

1. The zoning administrator shall summarize the issues and state his/her decision.
2. The applicant shall present his/her evidence, including witnesses and documents.
3. The zoning administrator shall present his/her evidence, including witnesses and documents.
4. The licensee may close his/her presentation.
5. The zoning administrator may close his/her presentation.

D. The commission, the applicants and the administration may question any witness. Any person may be represented by counsel. The applicant must prove the facts by a preponderance of the evidence. All hearings shall be tape recorded. Formal rules of evidence need not be followed.

E. A hearing, and any reconvening thereof, shall be open to the public.

F. Within 15 days following the hearing, the commission shall issue its decision in the form of written findings of fact and conclusions of law.

G. The findings of fact and conclusions of law shall reference specific evidence in the record and the controlling sections of this chapter and shall briefly explain the reasons for the decision. The commission may affirm, modify, vacate, set aside or reverse any decision brought before it for review, and may remand the case and direct the entry of such appropriate order, or require further proceedings to be had as may be justified under the circumstances.

H. The findings of fact and conclusions of law shall be signed by the presiding officer and filed with the clerk, who shall promptly mail a copy to the appellant.

City of Seward

https://library.municode.com/ak/seward/codes/code_of_ordinances?nodeId=CD_ORD_TIT15PLLAUSRE_CH_15.10SEZOCO_ART2DIRE_15.10.226LAUSAL

15.10.226 – Land Uses Allowed.

B. Lodging as defined in section 15.10.140B. is allowed in accordance with table 15.10.225 of this chapter and subject to the following conditions:

1. Regardless of the date such use began, an annual administrative permit is required. Prior to issuing the permit, the city shall conduct an annual life safety inspection of each guest room to assure compliance with the current adopted building code door/window egress standards, the presence of an operable and inspected fire extinguisher and adequate smoke detection systems, a posted evacuation plan, and visible signs showing exit locations.
2. The application for an annual administrative permit shall be accompanied by a fee established by city council resolution. A fee will be issued for each separate, advertised, rentable lodging unit.
3. Before any permit is issued, the applicant shall furnish evidence of the existence of one or more policies of insurance, issued by an insurance company satisfactory to the city, providing insurance coverage for lodging. Policies shall stipulate that the insurer will give written notice to the city at least 30 days prior to the cancellation, expiration, lapse or other termination of the insurance coverage.
4. Parking will be provided in accordance with section [15.10.215](#) of this chapter.
5. No cooking or cooking facilities are permitted in individual guest bedrooms.
6. Within principally residential districts RR, R1, R2, R3, UR lodging is limited to a home occupation within an owner-occupied dwelling which is the owner's principal place of residence and to the rental of not more than 50 percent of the bedrooms to a maximum of three.
7. Within principally residential districts R2, R3, UR, lodging in multifamily dwellings is limited to not more than 50 percent of the dwelling units with one of the units being the owner's principal place of residence.
8. Within commercial districts lodging within a dwelling unit is limited to the rental of not more than five guest bedrooms regardless of building or business ownership.
9. Within principally commercial districts OR, AC, HC, and CB, excluding the industrial zoning district, multifamily dwellings used for lodging purposes are not required to be the business or property owner's principal place of residence. The use shall be limited to not more than five dwelling units.
10. The rental of individual rooms for lodging purposes is not extended to apartment unit tenants.
11. Regardless of business name, the use of more than five guest bedrooms or apartments is considered a motel or hotel for building and other code interpretation purposes.

City and Borough of Sitka

<https://sitka.municipal.codes/SGC/22.25.010>

22.05.1300 Short-Term Rentals.

“Short-term rentals” means rentals of single dwelling units for less than 30 consecutive days for money or other valuable consideration by one party which then occupies the dwelling.

22.25.010 Conditional Uses.

A conditional use is a use that may not be appropriate in a particular zoning district according to the character, intensity, or size of the lot or the surrounding uses. This section establishes decision criteria and procedures for special uses, called conditional uses, which possess unique characteristics. The conditional use permit procedure is intended to afford the municipality the flexibility necessary to make determinations appropriate to individual sites. The commission may attach conditions necessary to mitigate external adverse impacts. If the municipality determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

A. *Submittal Requirements for Conditional Use Applications.* Table 22.25.010-1 provides application requirements for all conditional use permits.

Table 22.25.010-1. Conditional Use Permit Application Requirements (modified to remove irrelevant content):

Bed and Breakfast Conditional Uses	Short-Term Rental Conditional Uses
<u>Written Documentation</u> <ul style="list-style-type: none">• Legal description of all property involved in the project;• Statement of the objectives expected to be achieved by the project. <u>Site Plan and Supporting Drawings</u> <ul style="list-style-type: none">• As determined by the administration, details of the proposed project showing building locations, vehicular and pedestrian circulation, parking layout, and any other information necessary to adequately describe the project; conceptual drawings of proposed buildings or renovations, signs, and other features that may be required by the administrator.	<u>Written Documentation</u> <ul style="list-style-type: none">• Legal description of all property involved in the project;• Statement of the objectives expected to be achieved by the project. <u>Site Plan and Supporting Drawings</u> <ul style="list-style-type: none">• As determined by the administration, details of the proposed project showing building locations, vehicular and pedestrian circulation, parking layout, and any other information necessary to adequately describe the project; conceptual drawings of proposed buildings or renovations, signs, and other features that may be required by the administrator.

1. Conditional use permit application initiation periods and termination periods are outlined in Table 22.25.010-2.

Table 22.25.010-2. Initiation and Termination Periods

	Short-Term Rental Conditional Use Permits	Bed and Breakfast Conditional Use Permits	Interim Mobile Homes Conditional Use	All Other Conditional Use Permits
Period in which the permit must be activated following planning commission approval or permit becomes void	One year	One year	One year	Two years
If permit is not used during period, permit becomes void after activation	One year	One year	One year	Two years
Mandatory review period ¹	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval
Number of years after approval that permit sunsets	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval
Whether permit is transferable upon sale or transfer of ownership of subject property	No	No	Yes	Yes
<p>Note (1): It shall be the responsibility of the applicant to submit materials one month prior to the end of any review period. Failure to submit materials within the time specified shall automatically void the approval.</p> <p>Note (2): Substantial construction progress must be made on a project approved through the variance process within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the planning commission if a request is filed within 11 months of the initial approval.</p>				

B. Conditional Use Permit Provisions for Bed and Breakfasts.

1. The information and assurances filed by the applicant for a bed and breakfast conditional use at the time of application shall be binding on all current and future owners of the facility.
2. There shall be no expansion in the number of guest rooms beyond the number approved.
3. The number of bed and breakfast sleeping rooms per residence shall be limited to three rooms in an R-1 or related zone and five rooms in an R-2 or related zone.
4. In no case shall a bed and breakfast be operated in any residence other than an owner-occupied dwelling.
5. The owner of the residence shall operate the bed and breakfast at all times and shall not contract out the day-to-day management of the operation. In the event the operation or management of the bed and breakfast is conducted by a tenant or party other than the owner who lives in the residence, the conditional use permit shall automatically become void.
6. Bed and breakfast guestrooms are intended to be spare or surplus guestrooms in owner-occupied single-family dwellings or an owner-occupied unit of a two-family dwelling that are not needed by the owner of the structure for household activities.
7. Permits shall lapse and become void if the bed and breakfast ceases operation for 12 consecutive months.
8. There shall be no more than one exterior sign. The sign shall not exceed four square feet.
9. There shall be a minimum of one off-street parking space for every three guestrooms in bed and breakfast establishments located in single-family residential zones.

10. Existing bed and breakfasts which do not conform to these rules shall be considered nonconforming uses and subject to the rules relating to nonconforming uses.
11. It is the intent of the assembly that the provisions of these requirements be strictly followed. However, exceptions may be granted in cases of extreme need or extreme personal or financial hardship. The limitation on the number of the rooms and the use of single-family occupied structures will not be eligible for hardship relief.
12. For establishment of a bed and breakfast establishment in an existing structure in an R-1 zone, only existing bedrooms may be used for guest rooms.
13. Limited cooking facilities shall only be allowed inside guestrooms, or inside other rooms that are used solely by the bed and breakfast, such as small toaster ovens, microwaves, and refrigerators.
14. Timely payment of sales taxes shall be one of the primary indicators of compliance with this section.
15. When the planning commission approves a permit with the condition referring to the number of children in the facility, the term "children" shall refer to individuals who are 15 years old or younger.

C. *Conditional Use Permit Provisions for Short-Term Rentals.*

1. Short-term rental establishments shall be approved as conditional uses in the R-1, R-1 MH, R-1 LD, R-1 LDMH, R-2, and R-2 MHP zoning districts with the following conditions:
 - a. Existing short-term rentals operating in conformance with all other applicable regulations prior to the effective date of the ordinance codified in this section may continue operating as nonconforming uses so long as payments of bed taxes and any other fees are current.
 - b. The permit application and process will be the same as that required for bed and breakfasts, including submission and review of both interior and exterior site plans.
 - c. Increase in density and other impacts on the immediate surrounding neighborhood which would occur as a result of approval of short-term rentals may be a consideration in the granting of the permit.
 - d. Cessation of an approved short-term rental operation for 12 consecutive months shall result in revocation of the permit and require reapplication and approval of a new conditional use permit. Timely payment of sales taxes shall be one of the primary indicators of compliance with this section.
 - e. When the planning commission approves a permit with the condition referring to the number of children in the facility, the term "children" shall refer to individuals who are 15 years old or younger.
 - f. *Primary Residence Requirements.* All short-term rentals approved on or after September 14, 2022, must comply with primary residence requirements as provided below.
 - i. To be eligible to apply for a short-term rental, the property containing the short-term rental must also contain the applicant's primary residence. A primary residence is that which is occupied by the applicant as the applicant's principal place of residence at least 180 days out of the year as documented by motor vehicle registration, voter registration, and/or other such evidence determined to be conclusive by the planning commission. Applicants will be required to submit a sworn affidavit attesting that the property is their primary residence. An applicant cannot claim more than one property as their primary residence.

ii. Dwelling units on the property eligible for a permit include a single-family home, a mobile or manufactured home, or the nonowner-occupied unit within a two-family or multifamily unit.

iii. An approved permit shall automatically become void if the property is no longer the applicant's primary residence. Permits shall also become void immediately upon sale or transfer of the property. Permits are nontransferable between persons and locations.

iv. It is the intent of this subsection (C)(1)(f) that the primary residence requirements be strictly followed. However, exceptions may be granted in cases of extreme personal hardship to the applicant determined by the planning commission. In these cases, the maximum term of the permit when an exception is granted is 12 months with one possible, six-month extension if granted upon further application. The applicant shall have the burden of proof to demonstrate the exception is warranted due to circumstances beyond their control such as the employment or health needs of the applicant's or a family member. Exceptions may not be granted solely to address financial considerations or inconvenience. The property must be the primary residence of the applicant at the time of application for an exception.

2. Short-term rentals shall be allowed in the other zoning districts subject to the following general rules:

- a. There shall be two parking spaces per dwelling unit.
- b. The number of persons per sleeping area shall comply with the municipal fire code.
- c. Upon filing for sales tax and bed tax accounts, an owner shall obtain a life safety inspection by the building department and shall comply with the requirements proposed by the department.
- d. Legal nonconforming short-term rentals shall comply with these general rules within two years.
- e. Short-term rentals may only be approved for mobile homes that are located along streets maintained by the city and borough or the state of Alaska.

City of Soldotna

https://library.municode.com/ak/soldotna/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.10ZOCO_17.10.385SHRMREUN

17.10.385 – Short-Term Rental Units.

A. Intent. The intent of this section is to establish standards, procedures, and a permit process for short-term rental units.

B. Owner-Occupied Short-Term Rental Units.

1. Location. Within the Commercial and Limited Commercial districts, owner-occupied short-term rental units are allowed as principal uses. Within other districts they are allowed as home occupations.

2. For districts in which dwellings are not principal uses, all requirements for the dwelling must be met prior to operating it as a short-term rental unit. Within the Commercial District, the requirements of Section 17.10.265(C)(5), 17.10.265(D), or 17.10.265(F) must be met. Within the Parks and Recreational, Institutional, and Industrial districts, the requirements of Section 17.10.270(C)(6), 17.10.275(C)(5), or 17.10.280(C)(5) must be met, respectively.

C. Non-Owner-Occupied Short-Term Rental Units.

1. Location. Within the Commercial and Limited Commercial districts, non-owner-occupied short-term rental units are allowed as principal uses. Within other districts they are allowed with an administrative permit.

2. Permit Required. Where required, a permit must be obtained for each property containing the dwelling(s) used as a non-owner-occupied short-term rental unit(s).

a. An application for a permit to operate a non-owner-occupied short-term rental unit shall be submitted to, and approved by, the administrative officer and shall contain the following:

i. A completed application form, as provided by the City of Soldotna;

ii. Fifty-dollar fee plus applicable sales tax; and

iii. Certification by the Kenai Peninsula Borough Finance Department in a tax compliance certificate that the applicant is current in the payment of any sales tax to the City of Soldotna and the Kenai Peninsula Borough.

b. General Standards.

i. A local point of contact must be available 24 hours a day during periods in which the permitted dwelling is used as a short-term rental unit;

ii. No more than five guest rooms, with a total of ten guests, are permitted;

iii. Have no more than one nameplate or one wall sign not to exceed two square feet in area;

iv. Have sufficient off-street parking within an established driveway or parking structure to accommodate the use. Parking is not permitted within any area which is required for landscaping in Section 17.10.335, Landscaping, and parking is not permitted on lawns within the front yard;

v. For districts in which dwellings are not principal uses, all requirements for the dwelling must be met prior to operating it as a short-term rental unit. Within the Commercial District, the requirements of Section 17.10.265(C)(5), 17.10.265(D), or 17.10.265(F) must be met. Within the Parks and Recreational, Institutional, and Industrial districts, the requirements of Section 17.10.270(C)(6), 17.10.275(C)(5), or 17.10.280(C)(5) must be met, respectively.

vi. The requirements of Section 17.10.390 shall be required if the short-term rental unit is within an accessory dwelling unit.

c. The permit shall expire if:

i. The use has not commenced within 18 months after issuance of the permit;

ii. The use ceases, at any point during its operation, for a period of 18 months or longer;

iii. There is a change in ownership of the dwelling, unless the permit is transferred to the new owner by the administrative officer.

d. Transferability. Permits may be transferred by the Administrative Officer from one person to another, provided the use and operations of the use have not changed and the transferee provides any necessary information needed to update the administrative file. A permit is not transferable from one parcel of land to another.

e. Revocation for Noncompliance. The Administrative Officer may revoke a permit for a non-owner-occupied short-term rental unit if it is determined that the conduct of the operation is not in compliance with either the terms and conditions of the permit, or other provisions of the Municipal Code.

f. Appeal of Decision. Any appeals of decisions made under this section shall follow the guidelines set forth in Section 17.10.430, Administrative appeals.

D. Violations. The following actions are unlawful:

1. Operating a non-owner-occupied short-term rental unit without obtaining a valid city permit;

2. Operating a short-term rental unit under a valid permit but in violation of the general standards in SMC Section 17.10.385(C)(2)(b).

City of Wasilla

<https://wasilla.municipal.codes/WMC/16.26>

Chapter 16.26 Short-Term Rentals

16.26.010 Purpose and intent.

A. The purpose of this chapter is to establish the regulations governing the use of a residential dwelling unit as a short-term rental. This chapter provides reasonable and necessary regulations for the permitting of short-term rental of residential dwelling units in order to:

1. Ensure the safety, welfare and convenience of occupants, owners, and neighboring property owners;
2. Balance the legitimate neighborhood livability concerns with the property owner's desire to use their property as they choose;
3. Recognize the need to limit short-term rental options within neighborhoods to ensure compatibility, while recognizing the benefits of short-term rentals in providing recreation and income opportunities, as well as transitional housing and business or hospital-related short stays;
4. Help maintain the city's needed housing supply for long-term residential use; and
5. Protect the character and stability of the city's neighborhoods by limiting the number, concentration, and maximum occupancy of full-time short-term rentals in residential zones. In the adoption of these regulations, the city finds that the transient rental of dwelling units can be incompatible with surrounding residential uses. Therefore, special regulation of residential dwelling units listed for transient rental is necessary to ensure that these uses will be compatible with surrounding residential uses and will not materially alter the neighborhoods in which they are located.

B. A short-term rental permit grants approval to operate a short-term rental in accordance with this chapter. A short-term rental permit may be terminated or revoked if the standards of this chapter are not met and will expire if the dwelling is sold or otherwise transferred as defined in this chapter. This chapter provides an administrative framework for approving the annual operation of a short-term rental.

C. The regulations of this chapter are not intended to permit any violation of the provisions of any other law or regulation.

D. Exemption of a use from the provisions of this chapter shall not exempt the use from other applicable provisions of this title.

E. Prior to the adoption of the provisions contained in this chapter, there were no provisions in this title that identified or allowed the establishment of a "short-term rental" as a legally permitted land use. Accordingly, nothing in this chapter shall be construed to identify or allow an existing use to be classified or considered a legal nonconforming short-term rental subject to the provisions and allowances of WMC Chapter 16.28.

16.26.020 Definitions.

When used in this chapter, the following words and phrases shall have the meanings set forth in this section: "Agent" means a property management company or other entity or person who has been designated by the applicant, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints (see "Local contact"). The agent is responsible for advertising and operating a short-term rental and ensuring compliance with short-term rental regulations. Any agent other than the property owner must be a properly licensed broker or licensee with the state of Alaska. Note: This term does not include listing services or online platforms for short-term rental listings.

“Applicant” means an individual submitting an application to the city for a short-term rental permit. The applicant may be the owner or agent for the owner.

“Daytime” means between the hours of 7:00 a.m. and 10:00 p.m.

“Hosting platform” means any electronic or other operating system, functioning in the nature of a marketplace by which an operator markets, advertises, offers, solicits customers for, or makes available for commercial use a residential dwelling unit as a short-term rental.

“Local contact” means the person designated by the owner or agent who will be available 24 hours per day, seven days per week, for the purpose of responding to concerns or requests for assistance related to the owner’s short-term rental.

“Occupant” means any person who occupies or is entitled to occupy by reason of concession, permit, right of access, license or other agreement a short-term rental for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days.

“Overnight” means between the hours of 10:00 p.m. and 7:00 a.m. the following day.

“Owner” means the person or entity that has the right to possess, use, and convey title to the property for which the short-term rental permit is sought and is responsible for compliance with these provisions, regardless of whether an agent or property manager is used to manage the short-term rental.

“Owner occupied” means that the dwelling unit is occupied by the owner for a minimum of six months out of a calendar year.

“Permanent resident” means a person who is eligible for a permanent fund dividend under AS 43.23.005 for the same year or for the immediately preceding year. If the applicant has not applied or does not apply for the permanent fund dividend, the applicant must show that they would have been eligible for the permanent fund dividend.

“Primary residence” means an owner’s permanent residence or usual place of return for housing as documented by at least two forms of identification (e.g., state of Alaska driver’s license, utility bills, Matanuska-Susitna property tax bill). A person may have only one primary residence.

“Short-term rental” means the commercial use, or the making available for commercial use, of an entire residential dwelling unit for transient rental, dwelling, overnight lodging or sleeping purposes, wherein any individual occupant rents or occupies the entire dwelling unit for a period of 30 days or less, with or without financial compensation, for a minimum of one night, but no more than 30 consecutive calendar days in duration. May also be referred to as VRBO, AirBnB, etc. Note: This term does not include bed and breakfast, hotel, motel, dormitory, public or private club, recreational vehicle park, hospital and medical clinic, nursing home, convalescent home, foster home, halfway house, transitional housing facility, any housing operated or used exclusively for religious, charitable or educational purposes, group living facility, or any housing owned by a governmental agency and used to house its employees for governmental purposes.

“Transfer” means the addition or substitution of owners not included on the original license application, whether or not there is consideration. If multiple owners exist on a short-term rental permit, individual owners may be removed from the license without constituting a transfer.

“Transient rental” means the occupancy of a residential dwelling unit for compensation on less than a month-to-month basis.

16.26.030 Applicability.

A. No owner of a property within the city limits may advertise, offer, operate, manage, rent, offer to rent, or otherwise make available or allow another person to make available for occupancy or use as a short-term rental to another person without a valid short-term rental permit approved and issued in the manner provided

for by this chapter. “Advertise or offer” includes utilizing any media, whether written, electronic, web-based, digital, mobile or otherwise.

B. Where there are multiple short-term rental units on the same property, each unit must be permitted individually.

C. The requirements of this section apply to zoning districts as listed in the district use chart in WMC 16.20.020 but do not apply to principal transient accommodations (hotels, motels, bed and breakfast) or residential dwelling units occupied for more than 30 days.

D. The owner is responsible for ensuring that short-term rentals permitted under this chapter comply with applicable local, borough, state, and federal regulations, including, but not limited to, building codes, business licenses, and private covenants and restrictions.

16.26.040 Application and fee.

A. Application Fee.

1. An application for a short-term rental permit must be accompanied by a nonrefundable fee established by resolution of the planning commission; provided, however, the purpose of the fee is to defer the cost incurred by the city in administering the provisions of this chapter.

2. *Increased Permit Fee for Noncompliance (After-the-Fact Fee).* A penalty of five times the regular permit fee shall be charged for a short-term rental permit application for a short-term rental that was advertised without first obtaining the necessary permit.

B. *Application.* An application must be submitted for each short-term rental and must be on forms provided by the city, demonstrating the application meets the standards required by this chapter, and must contain the following information, at a minimum. The applicant or authorized agent shall certify the following information to be true and correct:

1. *Owner/Applicant Information.* The name, address, mailing address, email address, and telephone number of the applicant and owner of the short-term rental property. If the applicant or owner is a partnership, a corporation, or limited liability company, the application must list all of the owners.

2. *Local Contact Information.* The name, telephone number, address, and email of the local contact, which can be a person or company, who can be contacted concerning use of the property or complaints related to the short-term rental. For purposes of this requirement, “local” means the representative will be present within a one-hour travel time of the short-term rental and available at all times the property is being rented to respond to complaints or other issues.

3. *Site Plan.* A scaled site plan that meets all site development requirements of WMC 16.08.015, except that the site plan may be prepared by the owner or applicant; provided, that it is to scale. The site plan must include property lines, any existing structures, proposed signage, proposed and existing site improvements such as, but not limited to, parking, fences, hot tubs, pools, docks, gazebos, etc.

4. *Insurance.* Proof of either a rider on a homeowner’s policy or a commercial policy that expressly covers short-term rentals and provides a minimum of \$1,000,000 liability and personal injury coverage per short-term rental unit. Insurance required above shall be without prejudice to coverage otherwise existing and shall name, as an additional interested party, the city, its officers and employees, and shall provide that the policy shall not terminate or be cancelled prior to the completion of the short-term rental permit period without 45 days’ written notice to the city at the address shown in the short-term rental permit. A copy must be submitted with permit application and with subsequent renewal applications.

5. *Occupancy.* The number of bedrooms and the proposed maximum occupancy for the short-term rental (daytime and overnight).

6. *Septic*. Certification, dated within one year of application for the permit, from a state-licensed and certified septic inspector or inspection service that each septic system located upon the site of the short-term rental is functioning properly and conforms to all applicable city, borough, and state health and safety regulations and requirements.
7. *Acknowledgement*. Notarized acknowledgement by the owner of receipt and inspection of a copy of city regulations pertaining to the operation of a short-term rental within the city limits.
8. *Business License*. Evidence of a valid business license issued by the city for the short-term rental.
9. Such other information as the city planner may deem reasonably necessary to administer this chapter.

16.26.050 Approval criteria – New and renewal.

A. The applicant has the burden of proof to demonstrate compliance with each of the applicable criteria for approval or renewal of the short-term rental permit. The approval criteria also operate as continuing code compliance obligations of the owner. Staff may verify evidence submitted and the applicant shall cooperate fully in any investigation.

B. To receive approval, an applicant must demonstrate that all approval criteria listed below have been satisfied:

1. The zoning for the property is in compliance with the requirements of this title.
2. The site upon which the short-term rental use is to be established is adequate in size and shape to accommodate said use.
3. The residential character of the neighborhood in which the use is located will be maintained and preserved and the issuance of the permit will not be detrimental to the public health, safety, and welfare of the residents in the neighborhood or detrimental to the community within the vicinity in which the short-term rental is located.
4. The property owner is a permanent resident of the state of Alaska, as defined in this chapter.
5. *Local Contact Information*. The applicant has provided information sufficient to verify that a local contact will be available for questions and/or concerns regarding the short-term rental. The local contact shall be available to be contacted by telephone, text, or email to ensure a response to complaints regarding the short-term rental address at all hours (24 hours a day, seven days a week) while the dwelling unit is occupied for rent. Response must be within one hour. The local contact may be changed from time to time throughout the term of the short-term rental. To do so, the revised contact information shall be submitted to the planning department at least 30 days prior to the date the change takes effect to allow notification of property owners within a minimum of 1,200 feet of the lot lines of the short-term rental, except when the failure to do so is beyond the owner's control. In an emergency or absence, the local contact may forward information to a qualified person to act in their stead.
6. *Notice*. Prior to approval of a short-term rental permit, the city planner must notify all owners of property within a minimum of 1,200 feet of the lot lines of the short-term rental by first-class mail that a permit application has been received and is pending approval by either the city planner or planning commission, as appropriate. The applicant will be responsible for the postage fees for the mailing. The notice shall be mailed at least 10 business days prior to making a final determination on the application. The notice must provide a brief description of the use requested by the applicant, the anticipated date the permit will be issued, and where information regarding the application may be obtained. For permits that require conditional use approval from the planning commission, the notice will also indicate the date, time, and location of the public hearing.

7. *Parking.* The short-term rental must have a minimum of two on-site parking spaces for exclusive use of the renters while the unit is occupied by a renter. When the unit consists of more than four bedrooms, each additional bedroom or sleeping area beyond the first four requires one additional dedicated parking space. No portion of any such required parking stall shall be located within either a required front or street side yard setback area, except on a designated driveway or parking area. Grassed or landscaped areas of the yard may not be utilized for required parking spaces. All required parking spaces shall comply with the parking standards in WMC 16.24.040, except for the minimum number of required parking spaces. On-street parking is prohibited for short-term rental units.

8. *Inspection.* Prior to issuance of the short-term rental permit, the owner(s) shall request and pay the applicable fee for an inspection from a licensed commercial or home inspector to confirm that the required fire and safety protection measures required in this chapter are in place and functioning, including but not limited to smoke detectors, carbon monoxide detectors, fire extinguishers, operable egress windows in each bedroom, an evacuation plan posted conspicuously in each sleeping area, repair of any exposed wiring, water heater inspection, required safety measures for pools (if applicable), and exterior stairwells (if applicable). By accepting a short-term rental permit, the owner agrees to allow on-site inspections by the city at reasonable times with reasonable notice.

9. The city planner (or planning commission when required) shall have the authority to place reasonable conditions on the permit to ensure that the use will comply with the general approval criteria in WMC 16.16.050.

16.26.060 Standards.

Short-term rentals must comply with the following standards:

A. *Density.* A maximum of 75 short-term rental permits may be issued by the city planner. No owner or officer or employee of an entity may possess more than three permits and no household with multiple owners may possess more than a total of three permits for the household. The dwelling must comply with the following additional limitations:

1. *Multifamily Buildings.* No more than 25 percent of the lawfully permitted residential dwelling units in a multifamily building may be rented as a short-term rental. For a triplex, only one of the lawfully permitted units may be rented as a short-term rental.

2. *Duplex.* One of the two units in a lawfully permitted duplex may be rented as a short-term rental.

3. *Rentals per Unit.* No more than one short-term rental is allowed within any single-family residential dwelling unit.

B. *Occupancy.* The maximum overnight occupancy of the short-term rental shall be limited to two persons per bedroom, plus two additional persons, up to a maximum of 10 occupants, excluding persons two years of age or younger.

C. *Rental Period.* A minimum of a one-night stay is required.

D. *Signage.*

1. *Exterior.* No on-site exterior signage of any type may be posted to identify the property as a short-term rental or to solicit rental of such residence. The only signage allowed is the required sign containing the information for the local contact and the short-term rental permit number. The required sign may be no larger than two square feet in area.

2. *Interior.* A sign with the following information must be posted conspicuously within the short-term rental:

a. The maximum number of occupants that are permitted and notification that failure to conform to the maximum occupancy is a violation of the short-term rental permit;

- b. The number of parking spaces provided, and the location of assigned parking and the maximum number of vehicles that are permitted;
- c. The trash pickup day(s) and applicable regulations pertaining to leaving or storing trash on the exterior of the property;
- d. Notification that the occupant may be subject to citation and fines for violating applicable ordinances and laws;
- e. The name and telephone number of the local contact that may be reached at all times;
- f. 911 emergency information, including the complete physical address of the short-term rental, must be posted in each sleeping area and must be in a font size 36 or greater;
- g. Emergency exit information must be posted in each sleeping area and must be in a font size 36 or greater; and
- h. Short-term rental permit number.

E. *Advertising.* All advertising for the short-term rental shall include the city-issued short-term rental permit number.

F. *Structural and Design Features.*

1. *House Numbers.* The short-term rental must have a visible house number easily seen from the street, day or night. The size and type of lettering must comply with all applicable local, borough, state, and federal regulations.
2. *Kitchens.* The residential dwelling unit used for a short-term rental shall not be modified to allow or contain more than one indoor kitchen/cooking facility. However, the addition of an indoor wet bar, microwave, and/or refrigerator may be allowed within the short-term rental.
3. Each dwelling used as a short-term rental shall maintain an operational fire extinguisher, smoke detectors (one per bedroom plus one in each hallway) and carbon monoxide detectors (a minimum of one per floor).
4. Exit/egress and an emergency evacuation map must be displayed in a prominent location in each room used for sleeping purposes.
5. Operable egress windows must be in each bedroom.
6. Safety measures must be in place for pools and exterior stairwells.
7. *Alterations or Modifications.* No alteration may be made that would identify a residential dwelling unit as a short-term rental and that would not preserve and protect the residential character of the residential dwelling unit or existing neighborhood. This includes the usage of lighting, signage, color, materials, construction type, etc. Alterations and modifications must also comply with all applicable provisions, requirements and standards of this title. Short-term rental permits will not be issued to structures that have been previously altered or modified without obtaining the appropriate permit for the alteration or modification.
8. *Lighting.* Any lights used to illuminate a site used for a short-term rental purpose must be directed toward the short-term rental and shall not be directed toward adjoining properties and/or public rights-of-way.
9. *Nuisance.* The owner/agent shall ensure that the occupants of the short-term rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate applicable provisions of the Wasilla Municipal Code or any state law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs. Owners are expected to take measures necessary to abate disturbances, including, but not limited to, directing the occupant, calling for law enforcement services or city code enforcement officer, evicting the occupant, or any other action necessary to immediately abate the disturbance.

10. The owner is responsible for ensuring that the short-term rental permitted under this chapter complies with applicable local, borough, state, and federal regulations, including, but not limited to, building codes, business license, and private covenants and restrictions.

G. *Contact Information.* The owner shall maintain a valid 24-hour telephone number for the local contact of a short-term rental who will respond to all emergencies and problems that may arise during the rental period, whether from occupants, neighbors or municipal authorities.

H. *Records.*

1. *Records.* Accurate books and records must be maintained a minimum of three years and must be made available upon request to the city planning, finance, or code enforcement department, including an occupant log that includes, at a minimum, the name, address, and telephone number of all overnight occupants, total occupancy, rates and sales tax collected, and dates of occupancy.

2. Records shall be made available to the city within five working days upon written request from the city. Personal information regarding guests may be redacted prior to providing records to the city.

I. *Rental Agreement.* A rental agreement shall be required for each rental of an approved short-term rental unit prior to occupancy and must include the following notifications and disclosures:

1. The maximum overnight occupancy of the short-term rental shall be limited to two persons per bedroom, plus two additional persons, up to a maximum of 10 occupants, excluding persons two years of age or younger;

2. Individual renting the short-term rental must be a minimum of 21 years of age;

3. Prior to occupancy, the owner shall obtain the name, address and driver's license number or a copy of the passport of the primary responsible adult occupant of the short-term rental;

4. Riding off-road vehicles is restricted to approved off-highway vehicle areas only;

5. All animals under the renter's control shall be cared for in a manner consistent with all city animal standards;

6. The maximum number of occupants that are permitted and notification that failure to conform to the maximum occupancy is a violation of this chapter;

7. The number of parking spaces provided, the location of assigned parking, and the maximum number of vehicles that are permitted;

8. The trash pickup day(s) and applicable regulations pertaining to leaving or storing trash on the exterior of the property;

9. Notification that the occupant may be subject to citation and fines for violating applicable ordinances and laws;

10. The name and telephone number of the local contact that may be reached at all times;

11. 911 emergency information, including the complete physical address of the short-term rental; and

12. On-street parking is prohibited for short-term rental units.

J. *Animals.* Occupants are prohibited from allowing animals under their control to roam freely outside of the short-term rental at any time. Animals may not be restrained and left unattended outside at any time. All animals under the occupant's control shall be restrained and cared for in a manner consistent with all city animal control standards.

K. *Property Maintenance.*

1. The owner shall keep, or cause to be kept, the short-term rental property and landscaping in a neat, clean, and orderly manner at all times. Where a property is not maintained as specified herein, the property owner shall be required to restore the property to its required neat and clean manner upon receipt of a written notice of violation. A failure to return the property to a neat, clean, and orderly

manner within 10 days of a notice to do so shall be grounds for revocation of the short-term rental permit.

2. Trash and refuse shall not be stored within public view, except in proper containers for the purpose of collection by the responsible trash hauler. The owner of the short-term rental shall provide sufficient trash collection containers and service to meet the demand of the occupants.

3. All pools and/or spas on site shall be maintained in a safe, neat, clean, and healthy manner at all times. Each pool and/or spa shall conform to all applicable codes and standards for the city, borough, and state.

4. The owner of each short-term rental shall ensure that all required accesses, driveways and parking spaces remain clear and unobstructed, and are available and ready for the occupants' use at all times.

L. *Miscellaneous Conditions.*

1. Advertisement of the short-term rental (in any media format) shall not identify the street address of the short-term rental but must include the short-term rental permit number and occupancy limits.

2. The city planner (or planning commission when required) shall have the authority to place reasonable conditions on the permit to ensure that the use will comply with this chapter and the general approval criteria in WMC 16.16.050.

16.26.070 Prohibitions.

A. Functions such as meetings, luncheons, banquets, reunions, bachelor or bachelorette parties, receptions, weddings, fundraising events, commercial or advertising activities, and/or any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in any buildings or anywhere on the site approved for a short-term rental permit.

B. Commercial meetings and uses are prohibited in short-term rentals.

C. *Overnight Camping.* No RVs, travel trailers, tents, yurts, or other temporary shelters may be used as a short-term rental or occupied in addition to a short-term rental. Recreational vehicles are permitted if they are the primary transportation for the renter or visitor but may not be used for overnight accommodations during the stay and must be located in a designated parking space.

16.26.080 Issuance – Term.

A. The short-term rental permit shall only be issued to the owner of the property.

B. The short-term rental permit shall be valid for a period of one year from the date of issuance.

C. The city planner (or planning commission when required) shall have the authority to place reasonable conditions on the permit to ensure that the use will comply with the general approval criteria in WMC 16.16.050.

16.26.090 Renewal – Transferability.

A. *Renewal.*

1. The owner must renew a short-term rental permit annually prior to the permit issuance anniversary date.

2. The renewal permit must include the renewal fee, any changes to the information requirements set forth in WMC 16.26.040, copy of a current inspection by a commercial or home inspector licensed in the state of Alaska or a notarized affidavit that the required fire and safety protection measures are still in place and operational, and current proof of the required liability insurance. If an affidavit is used, the applicant must include a note that the city's failure to inspect short-term rentals does not constitute a waiver of its right to perform future inspections.

3. The city planner (or the planning commission when required) shall have the authority to impose additional conditions on the renewal of any permit in the event of any violation of the conditions to the permit or the provisions of this chapter subject to compliance with the procedures specified in WMC 16.26.110.

B. *Transferability.* No short-term rental permit issued under this chapter shall be transferred or assigned or used by any person other than the owner to whom it is issued, or at any location other than the one for which it is issued. If multiple owners exist on a short-term rental permit, individual owners may be removed from the license without constituting a transfer.

16.26.100 Denial.

No application for a short-term rental permit may be denied if it meets the conditions of permit issuance pursuant to this chapter unless one of the following conditions applies:

- A. A short-term rental permit issued to the same owner has been revoked within one year of the application date, or is in the process of being revoked pursuant to WMC 16.26.110; or
- B. The owner has violated any federal, state, local, or city law or regulations pertaining to the use of the property as a short-term rental; or
- C. The Alaska State Troopers or any other law enforcement agency with jurisdiction in the city limits or Matanuska-Susitna Borough fire code official has determined that the short-term rental poses a serious threat to public health, safety, or welfare; or
- D. The owner/applicant has made a false statement of material fact on an application for a short-term rental.

16.26.110 Violations – Enforcement.

A. The owner of the short-term rental is responsible for compliance with the provisions of this chapter and the failure of an agent and/or local contact to comply with this chapter will be deemed noncompliance by the owner. The city planner (or planning commission when required) may revoke or void any permit for a short-term rental for noncompliance with the conditions and standards set forth in this chapter and pursuant to the procedures established in this subsection.

B. *Violations.* Remedies and penalties for violations under this chapter are provided in WMC Chapter 1.20 and subsection (D) of this section. The following conduct shall constitute a violation for which the referenced penalties may be imposed, or the permit revoked:

- 1. Noncompliance with any of the requirements in this chapter.
- 2. Noncompliance with conditions imposed by the city planner and/or planning commission.
- 3. The owner/agent commences or continues to advertise and/or operate a short-term rental without first procuring the required permit.
- 4. Failure to comply with a notice of violation/citation and/or pay any fines imposed pursuant to this subsection.
- 5. Failure to remit city sales tax or submit a report as required by WMC Chapter 5.16.
- 6. The occupants of the short-term rental have created noise, disturbances, or nuisances, in violation of the Wasilla Municipal Code or state law pertaining to consumption of alcohol or the use of illegal drugs.
- 7. Failure to provide and maintain a valid 24-hour contact telephone number for the local contact responsible for a short-term rental.
- 8. Failure to preserve occupancy records or failure to present such records when requested by the city to do so.

C. *Evidence of Violation.*

1. Advertising of any kind by an owner or agent that offers a residential dwelling unit as a short-term rental, as defined and regulated in this chapter, shall constitute prima facie evidence of the operation of a short-term rental. The burden of proof shall be on the owner, operator, or lessee of record to establish that the subject property is being used as a legal short-term rental or is not in operation.
2. Other evidence of the operation of a short-term rental without a valid permit number may include, but is not limited to, occupant testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by an occupant.

D. *Penalties.* The penalties for violations specified in this chapter shall be the responsibility of the owner as follows:

1. For the first violation within any 12-month period, the penalty shall range from a notice of violation to a fine of \$500.00.
2. For a second violation within any 12-month period, the penalty shall be \$1,000 and may also include revocation of the permit.
3. For a third violation within any 12-month period, the penalty shall be revocation of the permit.
4. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
5. Revocation of the short-term rental permit may occur at any time if the owner/agent fails to preserve occupancy records or present such records when requested by the city to do so.
6. In addition to the penalties above, a notice to cease and desist operation of the short-term rental of a residential dwelling unit shall be issued for any short-term rental that is determined to be advertised for use as a short-term rental without first obtaining the necessary permit required under this chapter.

E. *Written Notice.* The city shall provide the owner with a written notice of any violation of this chapter. A copy of the warning notice shall be sent to the local contact.

1. *Correctable Violation.* The written notice will set forth the type of violation, the remedy, and the time period allowed to correct the violation.
2. *Revocation.* If the violation results in revocation of the short-term rental permit, the written notice will set the grounds upon which the permit was revoked, the date and time when the revocation is effective, and the appeals procedure. These provisions do not preclude the city planner's use of any other remedy prescribed by law with respect to violations of this chapter.

F. *Application for Permit after Revocation.* A person who has had a short-term rental permit revoked shall not be permitted to apply for a subsequent short-term rental permit for a period of two years from the date of revocation.

16.26.120 Appeals.

Appeal of an action made pursuant to this chapter must be filed in accordance with WMC Chapter 16.34.

16.26.130 Severability.

The terms and provisions of this chapter shall be deemed to be severable and if any section, subsection, sentence, clause, or phrase shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this section and the remainder shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.