

Presented by:
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Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-32 v COW1

An Ordinance Concerning Short Term Rental Registration Requirements

WHEREAS, some City & Borough of Juneau community members rent their homes on a short-term basis to earn additional income to pay for essential needs and expenses;

WHEREAS, the City & Borough of Juneau is a host and destination for independent travelers, large events, high-quality medical care, and the Capital of Alaska;

WHEREAS, the additional available of diverse lodging options enhances the community's economy;

WHEREAS, an over-abundance of short-term rental units in a community could decrease the availability of long-term rentals and owner-occupied housing needed for essential workers and community vitality;

WHEREAS, as the popularity of short-term rentals in the City & Borough of Juneau has grown, it is necessary for the City & Borough of Juneau to collect data on short-term rentals to determine if additional regulations are necessary; and

WHEREAS, nothing in this ordinance shall be deemed to alter, supersede, or conflict with the requirements of any state law, federal law, or ordinance of the City & Borough of Juneau including but not limited Title 49 (Land Use) and Title 19 (Building Regulations).

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

1
2 **Section 1. Classification.** This ordinance is of a general and permanent nature and
3 shall become a part of the City and Borough of Juneau Municipal Code.
4

5 **Section 2. Amendment of Section.** CBJ 69.07.010 is amended to read:
6

7 **69.07.010 – Definitions.**

8 The following words, terms and phrases, when used in this chapter, shall have the meanings
9 ascribed to them in this section, except where the context clearly indicates a different
10 meaning:
11

12 ...

13
14 *Hotel-motel* means a structure, or portions of a structure, occupied or intended or designed for
15 occupancy by transients for dwelling, lodging or sleeping purposes and includes any hotel,
16 motel, inn, short-term rental, or similar structure.
17

18 ...

19
20 **Section 3. Amendment of Title.** Title 20, Business Regulations, is amended by
21 adding a new chapter to read:

22 **Chapter 20.15 Short Term Rentals**

23 [This location is just a citation placeholder. I will fix the formatting once there is consensus on
24 the substantive language.]
25

- 1
- 2 (a) Purpose. The purpose of this section is to protect the public health, safety, and general
- 3 welfare of individuals and the community; to facilitate and provide reasonable means to
- 4 measure and mitigate impacts created by short-term rentals; and to balance property
- 5 owners' commercial enterprise with the community's need for short term rental
- 6 regulations.
- 7
- 8 (b) Definition. Short term rental. A dwelling unit, or portion of a dwelling unit, offered for
- 9 overnight occupancy in exchange for a fee and that is available for rent for fewer than 30
- 10 consecutive days.
- 11 (c) License.
- 12 (1) No person or entity may rent, lease, or otherwise exchange for compensation all or any
- 13 portion of a dwelling unit as a short-term rental without first obtaining a short-term
- 14 rental license pursuant to the requirements of this section.
- 15 (2) No licensee shall transfer or assign the right to operate under any license issued under
- 16 this section to any other person or entity by lease, agreement, contract or any other
- 17 agreement.
- 18 (3) No license issued under this section may be operated or have any legal effect at any
- 19 location other than for which it is issued.
- 20 (4) A license issued under this section shall automatically renew on January 1,
- 21 conditional upon the timely remittance of the annual license fee and no outstanding
- 22 enforcement action. Failure to timely remit the annual license fee shall result in the
- 23 license expiring and will require a new license application.
- 24
- 25 (d) Application for short-term rental license. An applicant for a short term rental license must
- submit an application on a form provided [by the xx director] accompanied by a non-

1
2 refundable registration fee. Review of an application shall be conducted in accordance with
3 due process principles and complete applications shall be granted unless the applicant fails
4 to meet the requirements of this section, federal law, state law, or local laws related to the
5 operation of a short-term rental including the following:

6 (1) Evidence the applicant is the property owner or a tenant with the property owner's
7 written consent;

8 (2) An annual non-refundable registration fee of \$150;

9 (3) The physical address of the unit to be used as a short-term rental;

10 (4) A brief description of the short-term rental facility;

11 (5) Identify whether the property is owner-occupied or is managed by a third-party; and

12 (6) The name and telephone number of a responsible person to contact if the short term
13 rental, guest, or person associated with the rental generates public safety or nuisance
14 concerns.
15

16 (e) Application denial, suspension, revocation, and enforcement action.

17 (1) The following are grounds for application denial, suspension, revocation, and
18 enforcement actions:

19 (A) Any false statement or information provided in a short term rental application.

20 (B) Non-payment of annual registration fee before December 31.

21 (C) Violation of any provision of this section or any law related to short-term rental.

22 (D) Has delinquent in the remittance of any sales tax, including hotel-motel room tax,
23 penalty or interest arising out of the operation of a short term rental or other
24 business on the property.
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- 2 (E) Has delinquent property taxes or local improvement district assessments or
- 3 penalty or interest thereon arising out of real or personal property owned in whole
- 4 or in part by any person named in the application as an applicant or by any owner
- 5 of the property.
- 6
- 7 (F) Has a delinquent charge or assessment owing the City and Borough by the
- 8 licensee for a municipal service provided for the benefit of the business conducted
- 9 under the license or for a service or an activity provided or conducted by the
- 10 municipality at the request of or arising out of an activity of the business
- 11 conducted under the license.
- 12
- 13 (G) Is in violation of state or local fire, health, or safety codes.
- 14
- 15 (2) Any notice of application denial, suspension, revocation, or enforcement action shall be
- 16 served on the licensee by hand-delivery or certified mail and shall specify the specific
- 17 provision of law allegedly violated.
- 18
- 19 (f) Appeal.
- 20
- 21 (1) Informal meeting. A short term rental applicant or licensee may request an informal
- 22 meeting with the director [of xx] within five business day of service prior to license
- 23 denial, suspension, or revocation.
- 24
- 25 (2) A short term rental applicant or licensee may appeal a license denial, revocation, or
- suspension within 20 days of service to the manager, whose decision shall constitute
- final agency action.
- (g) Posting of short term rental license number. A short term rental licensee must
- conspicuously include the City & Borough of Juneau license number in all short term

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2 rental advertisements, listings, webpages, applications, platforms, and similar venues
3 listing a short term rental.

4 (h) Hotel-Motel Room Tax. The hotel-motel room rental tax shall be collected and remitted to
5 the City & Borough of Juneau for each short-term rental as provided in CBJC 69.07.

6 (i) Registration Exemptions. The requirements of this section do not apply to the following:

7 (1) Hotels as defined by CBJC 20.10.
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11 **Section 4. Effective Date.** This ordinance shall be effective 30 days after its adoption.

12 Adopted this _____ day of _____, 2022.
13
14

15 _____
Beth A. Weldon, Mayor

16 Attest:

17 _____
Elizabeth J. McEwen, Municipal Clerk
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