

ATTACHMENT A

Sec. 10-193. Definition

In this article, unless the context otherwise requires:

- A. DIRECTOR MEANS THE PLANNING AND DEVELOPMENT DIRECTOR OR HIS OR HER DESIGNEE.
- B. EVENT CENTER MEANS A RESIDENTIAL PROPERTY IN WHICH:
 - 1. A GUEST WHO DOES NOT INTEND TO STAY AT THE PROPERTY OVERNIGHT IS REQUIRED TO PAY RENT, ADMISSION, COVER CHARGE, DONATION, OR OTHER SIMILAR FEE TO ACCESS ANY PORTION OF THE RESIDENTIAL PROPERTY; OR
 - 2. THE SALE OF ALCOHOL OR OTHER PRODUCTS OR SERVICES OCCURS ON THE RESIDENTIAL PROPERTY; OR
 - 3. BEING USED AS ASSEMBLY, GENERAL, ASSEMBLY HALL, PUBLIC ASSEMBLY-ACTIVE RECREATIONAL, PUBLIC ASSEMBLY-ENTERTAINMENT, PUBLIC ASSEMBLY-GENERAL, PUBLIC ASSEMBLY-RESIDENTIAL, OR PUBLIC ASSEMBLY-SPECTATOR AS DEFINED IN SECTION 202 OF THE ZONING ORDINANCE.
- C. HEARING OFFICER MEANS THE SHORT-TERM RENTAL APPEAL HEARING OFFICER DESIGNATED BY THE DIRECTOR TO HEAR APPEALS OF DENIAL OR SUSPENSION OF A SHORT-TERM RENTAL APPLICATION OR PERMIT.
- D. *NEIGHBORING PROPERTY* MEANS A SINGLE-FAMILY RESIDENTIAL PROPERTY ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE STREET FROM THE SHORT-TERM RENTAL. FOR A MULTI-FAMILY RESIDENTIAL BUILDING, ALL RESIDENTIAL UNITS ON THE SAME FLOOR AS THE SHORT-TERM RENTAL.
- E. *NONRESIDENTIAL USE* MEANS USE THAT IS PROHIBITED IN A RESIDENTIALLY ZONED DISTRICT.
- F. *Online lodging marketplace* means “online lodging marketplace” as defined in A.R.S. § 42-5076.
- G. *Online lodging operator* means “online lodging operator” as defined in Section 42-5076, Arizona Revised Statutes.
- H. *OWNER MEANS ANY PERSON WHO, ALONE OR WITH OTHERS, HAS TITLE, LEASE, OR INTEREST IN A PROPERTY, DWELLING UNIT, OR PORTION THEREOF, WITH OR WITHOUT ACCOMPANYING ACTUAL POSSESSION THEREOF, AND INCLUDES ANY PERSON WHO AS AGENT, EXECUTOR, ADMINISTRATOR, TRUSTEE, OR GUARDIAN HAS CHARGE, CARE, OR CONTROL OF THE PROPERTY, DWELLING UNIT, OR PORTION THEREOF.*
- I. *Short-term rental* means “~~vacation rental~~” as defined in ~~Section 9-500.39, Arizona Revised Statutes.~~ ANY INDIVIDUALLY OR COLLECTIVELY OWNED SINGLE-FAMILY OR ONE-TO-FOUR-FAMILY HOUSE OR DWELLING UNIT, OR ANY UNIT OR GROUP OF UNITS IN A CONDOMINIUM OR COOPERATIVE, THAT IS ALSO A TRANSIENT PUBLIC LODGING ESTABLISHMENT OR OWNER-OCCUPIED RESIDENTIAL HOME OFFERED FOR TRANSIENT USE. “SHORT-TERM RENTAL” DOES NOT INCLUDE:

(I) PROPERTY THAT IS CLASSIFIED FOR PROPERTY TAXATION UNDER A.R.S. § 42-12001;
OR

(II) ANY UNIT THAT IS USED FOR ANY NONRESIDENTIAL USE, INCLUDING A SPECIAL EVENT THAT WOULD OTHERWISE REQUIRE A PERMIT, RETAIL, RESTAURANT, BANQUET SPACE, OR OTHER SIMILAR USE.

- J. *SPECIAL EVENT* MEANS A RETAIL, RESTAURANT, BANQUET SPACE, OR USE THAT IS EITHER PROHIBITED IN A RESIDENTIAL ZONING DISTRICT OR A USE THAT REQUIRES A LICENSE OR PERMIT FROM THE STATE, THE COUNTY, OR THE CITY OF PHOENIX.
- K. *Vacation rental* means short-term rental.
- L. *SHORT-TERM RENTAL PERMIT* MEANS A PERMIT ISSUED TO A PROPERTY OWNER WHO INTENDS TO OFFER TO RENT THE PROPERTY AS A SHORT-TERM RENTAL.
- M. *Verified violation* means a finally adjudicated finding of guilt or civil responsibility for violating any ~~State law or local ordinance~~ APPLICABLE LAW OR ORDINANCE relating to THE use of the property for short-term rental purposes.

Sec. 10-194. PLANNING AND DEVELOPMENT DIRECTOR – DUTIES

UNLESS OTHERWISE PROVIDED, IT SHALL BE THE DUTY AND RESPONSIBILITY OF THE DIRECTOR TO ADMINISTER THE SHORT-TERM RENTAL PERMITTING PROGRAM; AND PURSUANT TO THIS DUTY THE DIRECTOR SHALL:

1. ISSUE, RENEW, DENY, OR SUSPEND SHORT-TERM RENTAL PERMIT AS REQUIRED BY THIS ARTICLE.
2. DESIGNATE A HEARING OFFICER TO HEAR APPEALS OF THE DECISION TO DENY OR SUSPEND THE SHORT-TERM RENTAL PERMIT.
3. COORDINATE WITH OTHER DEPARTMENTS TO SUPPORT THE IMPLEMENTATION OF THIS CHAPTER.

Sec. 10-195. SHORT-TERM RENTAL; PERMITS FOR VACATIONS RENTALS REQUIRED

- A. IT IS UNLAWFUL FOR ANY OWNER TO RENT, OR OFFER TO RENT, A SHORT-TERM RENTAL WITHOUT FIRST OBTAINING AND MAINTAINING IN EFFECT A CURRENT, UNREVOKED, AND UNSUSPENDED SHORT-TERM RENTAL PERMIT.
- B. IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY OCCUPY A SHORT-TERM RENTAL THAT DOES NOT HAVE A CURRENT AND UNSUSPENDED SHORT-TERM RENTAL PERMIT.

Sec. 10-196. NEW SHORT-TERM RENTAL PERMIT; PERMIT RENEWAL; FEES

- A. ANY PERSON DESIRING TO OBTAIN A SHORT-TERM RENTAL PERMIT SHALL SUBMIT AN APPLICATION TO THE PLANNING AND DEVELOPMENT DEPARTMENT ON THE FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR THAT PURPOSE.
- B. THE APPLICATION SHALL BE ACCOMPANIED BY A NON-REFUNDABLE FEE OF \$250.

- C. A PERMIT ISSUED PURSUANT TO THIS ARTICLE SHALL EXPIRE ONE YEAR FROM THE DATE OF THE SHORT-TERM RENTAL PERMIT ISSUANCE.
- D. THE SHORT-TERM RENTAL OWNER/DESIGNEE MUST SUBMIT AN APPLICATION TO RENEW THE SHORT-TERM RENTAL PERMIT A MINIMUM OF 15 WORKING DAYS BEFORE THE PERMIT EXPIRES AND PAY THE PLANNING AND DEVELOPMENT DEPARTMENT A RENEWAL FEE NOT TO EXCEED \$250. IF A PERMIT RENEWAL APPLICATION IS SUBMITTED 15 WORKING DAYS AFTER THE EXPIRATION DATE, A NEW SHORT-TERM RENTAL PERMIT MUST BE FILED UNDER SECTION 10-197.

Sec. 10-197. SHORT-TERM RENTAL PERMIT APPLICATIONS; CONTENT

- A. EACH APPLICANT FOR A SHORT-TERM RENTAL PERMIT SHALL SUBMIT, AS APPLICABLE, THE FOLLOWING:
 - 1. THE PHYSICAL ADDRESS OF THE RESIDENTIAL PROPERTY PROPOSED TO BE USED AS A SHORT-TERM RENTAL.
 - 2. THE NAME, ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER FOR WHICH THE SHORT-TERM RENTAL REGISTRATION CERTIFICATE IS TO BE ISSUED.
 - 3. THE NAME, ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER'S DESIGNEE.
 - 4. THE NAME, ADDRESS, 24-HOUR TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE INDIVIDUAL WHO WILL SERVE AS THE EMERGENCY POINT OF CONTACT.
 - 5. PROOF OF VALID TRANSACTION PRIVILEGE TAX LICENSE.
 - 6. EVIDENCE OF LIABILITY INSURANCE APPROPRIATE TO COVER THE SHORT-TERM RENTAL IN THE AGGREGATE OF AT LEAST \$500,000 OR EVIDENCE THAT EACH SHORT-TERM RENTAL TRANSACTION WILL BE PROVIDED THROUGH A PLATFORM THAT PROVIDES EQUAL OR GREATER PRIMARY LIABILITY INSURANCE COVERAGE FOR THE SHORT-TERM RENTAL.
 - 7. EVIDENCE OF THE SHORT-TERM RENTAL IS REGISTERED WITH MARICOPA COUNTY ASSESSOR'S OFFICE IN ACCORDANCE WITH A.R.S. § 33-1902.
 - 8. A SIGNED AGREEMENT TO COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS, AND ORDINANCES.
 - 9. IF THE APPLICANT IS AN INDIVIDUAL, PROOF OF LAWFUL PRESENCE IN THE UNITED STATES.
 - 10. ANY OTHER INFORMATION AS THE PLANNING AND DEVELOPMENT DEPARTMENT MAY REQUIRE TO VERIFY INFORMATION PROVIDED BY THE APPLICANT.
- B. AN APPLICATION MUST BE FILED FOR EACH DWELLING UNIT WITHIN A PROPERTY WITH RESIDENTIAL USE.

- C. THE DIRECTOR MUST EITHER APPROVE OR DENY THE SHORT-TERM RENTAL APPLICATION OR RENEWAL WITHIN 7 DAYS OF RECEIVING THE APPLICATION. THE APPLICATION IS DEEMED DENIED IF THE APPLICATION IS NOT APPROVED WITHIN 7 DAYS AFTER THE PLANNING AND DEVELOPMENT DEPARTMENT RECEIVES THE APPLICATION.

Sec. 10-198. EMERGENCY CONTACT; RESPONSE TIME; UPDATE REQUIRED

- A. IF REQUIRED BY A POLICE OFFICER, FIREFIGHTER, OR CODE ENFORCEMENT OFFICER, THE PERSON LISTED AS THE EMERGENCY CONTACT MUST BE ON THE SHORT-TERM RENTAL PREMISES, OR BE AVAILABLE BY PHONE OR TEXT, WITHIN 30 MINUTES AFTER RECEIVING THE REQUEST. FAILURE OF THE PERSON LISTED AS THE EMERGENCY CONTACT TO BE ON THE SHORT-TERM RENTAL PREMISES, OR BE AVAILABLE ON THE PHONE OR BY TEXT, WITHIN 30 MINUTES AFTER RECEIVING THE REQUEST BY THE POLICE OFFICER, FIREFIGHTER, OR CODE ENFORCEMENT OFFICER, IS A VIOLATION OF THIS ARTICLE.
- B. IF THERE IS A CHANGE TO THE EMERGENCY CONTACT SHOWN ON THE PERMIT APPLICATION, THE OWNER OF A SHORT-TERM RENTAL MUST IMMEDIATELY UPDATE THE CONTACT INFORMATION TO THE PLANNING AND DEVELOPMENT DEPARTMENT.

Sec. 10-199. ADJACENT PROPERTIES NOTIFICATION REQUIRED

- A. THE OWNER OR OWNER'S DESIGNEE MUST SEND, BY CERTIFIED MAIL, A NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL TO ALL NEIGHBORING PROPERTIES.
- B. THE NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL MUST BE SUBSTANTIALLY SIMILAR TO THE FOLLOWING:

DEAR [NAME],

THIS LETTER IS TO INFORM YOU THE PROPERTY OWNER AT [ADDRESS] PLANS TO MAKE THE PROPERTY AVAILABLE FOR SHORT-TERM RENTAL USE. THE PERMIT NUMBER FOR THE SHORT-TERM RENTAL IS [XXXXXXXX]. THE 24-HOUR EMERGENCY POINT OF CONTACT FOR THIS PROPERTY IS [NAME]. HE/SHE CAN BE REACHED AT [PHONE NUMBER] AND [EMAIL] IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CONTACT [NAME OF THE PROPERTY OWNER OR AGENT] AT [PHONE NUMBER/EMAIL]

[OWNER'S NAME]

- C. BEFORE OFFERING A SHORT-TERM RENTAL, THE OWNER OR OWNER'S DESIGNEE MUST SUBMIT TO THE PLANNING AND DEVELOPMENT DEPARTMENT AN ATTESTATION OF COMPLIANCE WITH THE NOTIFICATION REQUIREMENT AND THE FOLLOWING:
 - 1. MAILING RECEIPTS SHOWING THE REQUIRED NOTICES OF INTENT TO OPERATE A SHORT-TERM RENTAL WERE DELIVERED OR ATTEMPTS TO DELIVER WERE MADE.
 - 2. A COPY OF THE NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL.
 - 3. THE NAME AND CONTACT INFORMATION OF THE PERSON ATTESTING TO COMPLIANCE WITH THE NOTIFICATION REQUIREMENT.

- D. THE OWNER OF THE SHORT-TERM RENTAL MUST PROVIDE TO THE PLANNING AND DEVELOPMENT DEPARTMENT A REVISED NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL IF THERE IS A CHANGE TO THE OWNERSHIP OR EMERGENCY POINT OF CONTACT INFORMATION FOR THE SHORT-TERM RENTAL. THE REVISED NOTICE OF INTENT MUST BE SENT PURSUANT TO REQUIREMENTS IN SUBSECTIONS (A) AND (B) OF THIS SECTION.

Sec. 10-200. CRIMINAL BACKGROUND VERIFICATION

OFFERING A SHORT-TERM RENTAL, THE OWNER OR OWNER'S DESIGNEE MUST SUBMIT TO THE PLANNING AND DEVELOPMENT DEPARTMENT A VERIFICATION THAT BOTH THE OWNER AND OWNER'S DESIGNEE ARE NOT REGISTERED SEX OFFENDERS, HAVE NOT BEEN CONVICTED OF ANY FELONY ACT THAT RESULTED IN DEATH OR SERIOUS PHYSICAL INJURY, OR ANY FELONY USE OF A DEADLY WEAPON DURING THE 5 YEARS BEFORE THE PERMIT APPLICATION DATE.

Sec. 10-201. DISPLAY OF PERMIT AND PERMIT NUMBER

- A. THE OWNER OR OWNER'S DESIGNEE OF A SHORT-TERM RENTAL MUST DISPLAY THE LOCAL REGULATORY PERMIT NUMBER ON EACH ADVERTISEMENT FOR A SHORT-TERM RENTAL THAT THE OWNER OR OWNER'S DESIGNEE MAINTAINS.
- B. A COPY OF THE PERMIT MUST BE DISPLAYED WITHIN 10 FEET OF THE PRIMARY ENTRANCE INSIDE OF THE SHORT-TERM RENTAL.

Sec. 10-202. SUSPENSION OF PERMIT; GROUNDS; NOTIFICATION

- A. THE DIRECTOR MAY SUSPEND A PERMIT FOR UP TO 12 MONTHS FOR ANY OF THE FOLLOWING:
1. THREE VERIFIED VIOLATIONS WITHIN TWELVE MONTHS, EXCLUDING ANY VERIFIED VIOLATIONS BASED SOLELY ON AN AESTHETIC, SOLID WASTE DISPOSAL, OR VEHICLE PARKING VIOLATION THAT IS NOT A SERIOUS THREAT TO PUBLIC HEALTH AND SAFETY.
 2. ONE VERIFIED VIOLATION THAT RESULTS IN OR CONSTITUTES ANY OF THE FOLLOWING:
 - a. A FELONY OFFENSE COMMITTED AT OR IN THE VICINITY OF A SHORT-TERM RENTAL BY THE SHORT-TERM RENTAL OWNER OR OWNER'S DESIGNEE.
 - b. A SERIOUS PHYSICAL INJURY OR WRONGFUL DEATH AT OR RELATED TO A SHORT-TERM RENTAL RESULTING FROM THE KNOWING, INTENTIONAL, OR RECKLESS CONDUCT OF THE SHORT-TERM RENTAL OWNER OR OWNER'S DESIGNEE.
 - c. AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY HOUSING A SEX OFFENDER, ALLOWING OFFENSES RELATED TO ADULT-ORIENTED BUSINESSES, SEXUAL OFFENSES OR PROSTITUTION, OR OPERATING OR MAINTAINING A SOBER LIVING HOME.
 - d. ANY ATTEMPTED OR COMPLETED FELONY ACT, ARISING FROM THE OCCUPANCY OR USE OF A SHORT-TERM RENTAL, THAT RESULTS IN A DEATH, OR ACTUAL OR ATTEMPTED SERIOUS PHYSICAL INJURY.
 - e. AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY ALLOWS THE USE OF A SHORT-TERM RENTAL FOR A SPECIAL EVENT.

Sec. 10-203. APPEAL

- A. THE DIRECTOR MUST PERSONALLY SERVE OR MAIL BY CERTIFIED MAIL THE DECISION TO DENY OR SUSPEND A PERMIT OR PERMIT APPLICATION TO THE OWNER, OWNER'S DESIGNEE, IF ANY, AND EMERGENCY CONTACT PERSON AS SHOWN ON THE PERMIT APPLICATION.
- B. AN APPLICANT OR OWNER OF A PERMIT MAY APPEAL THE DENIAL OR SUSPENSION OF A PERMIT TO THE HEARING OFFICER WITHIN 15 DAYS OF RECEIVING THE DECISION TO DENY OR SUSPEND A PERMIT OR PERMIT APPLICATION.
- C. THE HEARING OFFICER WILL SCHEDULE A HEARING WITHIN 30 DAYS AFTER RECEIVING THE APPEAL FILED UNDER SUBSECTION B. THE HEARING OFFICER MAY REVIEW RELEVANT WRITTEN EVIDENCE AND TESTIMONY FROM THE APPELLANT, THE CITY, AND THE PUBLIC. THE HEARING OFFICER WILL RENDER A DECISION WITHIN 30 DAYS AFTER THE HEARING.
- D. THE HEARING OFFICER'S DECISION UNDER THIS SECTION IS FINAL. THE APPELLANT MAY AT ANY TIME WITHIN 30 DAYS AFTER THE HEARING OFFICER HAS RENDERED HIS OR HER DECISION, FILE A SPECIAL ACTION IN SUPERIOR COURT TO REVIEW THE HEARING OFFICER'S DECISION.
- E. AN APPEAL DOES NOT OPERATE AS A STAY OR SUSPENSION OF A PERMIT.

Sec. 10-204. SHORT-TERM RENTAL; PROHIBITED USES

- A. RENTING, OR OFFERING FOR RENT, A SHORT-TERM RENTAL FOR THE FOLLOWING USES IS PROHIBITED:
 - 1. A NON-RESIDENTIAL USE;
 - 2. HOLDING SPECIAL EVENT THAT REQUIRES A PERMIT OR LICENSE PURSUANT TO A CITY OR TOWN ORDINANCE OR STATE LAW OR RULE;
 - 3. OPERATING A RETAIL BUSINESS, RESTAURANT, BANQUET HALL, OR SIMILAR USE;
 - 4. HOUSING SEX OFFENDERS, OR ALLOWING SEX OFFENDERS TO OCCUPY THE SHORT-TERM RENTAL;
 - 5. OPERATING OR MAINTAINING A SOBER LIVING HOME;
 - 6. SELLING LIQUOR, ILLEGAL DRUGS, OR PORNOGRAPHY;
 - 7. OPERATING A NUDE OR TOPLESS DANCING;
 - 8. OBSCENITY;
 - 9. ADULT-ORIENTED BUSINESS;
 - 10. AN EVENT CENTER;
 - 11. IN AN ACCESSORY DWELLING UNIT; OR
 - 12. ANY OTHER USE PROHIBITED BY A.R.S. § 9-500.39
- B. RENTING OR OFFERING TO RENT A SHORT-TERM RENTAL WITHOUT A VALID SHORT-TERM RENTAL PERMIT AND A VALID TRANSACTION PRIVILEGE TAX LICENSE ISSUED BY THE STATE OF ARIZONA IS PROHIBITED.
- C. RENTING A SHORT-TERM RENTAL TO A SEX OFFENDER IS PROHIBITED.

- D. RENTING A SHORT-TERM RENTAL WITHOUT CONDUCTING A SEX OFFENDER BACKGROUND CHECK ON EACH GUEST IS PROHIBITED. THE OWNER MUST MAINTAIN THE EVIDENCE OF COMPLIANCE FOR THE PRECEDING 12 MONTHS AND MAKE IT AVAILABLE FOR INSPECTION BY A CODE ENFORCEMENT OFFICER.

Sec. 10-205. STANDARDS AND OPERATING REQUIREMENTS

- A. TO ENSURE THE HEALTH AND SAFETY OF THE SHORT-TERM RENTAL OCCUPANTS AND THE PUBLIC, THE SHORT-TERM RENTAL MUST HAVE THE FOLLOWING SAFETY EQUIPMENT:
 - 1. A WORKING SMOKE AND CARBON MONOXIDE DETECTION AND NOTIFICATION SYSTEM MUST BE MAINTAINED AS REQUIRED UNDER NFPA 72.
 - 2. A PORTABLE FIRE EXTINGUISHER IN THE KITCHEN AND ANY AREA WITH AN OPEN FIRE SOURCE SUCH AS A STOVE, FIREPLACE, OR GRILL.
- B. THE OWNER OF THE SHORT-TERM RENTAL MUST DISPLAY THE CURRENT NAME, PHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER, OWNER'S DESIGNEE, AND EMERGENCY POINT OF CONTACT IN A CONSPICUOUS PLACE WITHIN 10 FEET OF THE PRIMARY ENTRANCE OF THE SHORT-TERM RENTAL.

Sec. 10-206. ENHANCED PENALTIES

- A. THE REMEDIES HEREIN ARE CUMULATIVE AND THE CITY MAY PROCEED UNDER ONE OR MORE SUCH REMEDIES.
- B. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, AND EXCEPT FOR VIOLATION IN SUBSECTION C., ANY SHORT-TERM RENTAL OWNER WHO CAUSES, PERMITS, FACILITATES, AIDS OR ABETS ANY VIOLATION OF A PROVISION OF THIS ARTICLE OR WHO FAILS TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE IS SUBJECT TO A CIVIL SANCTION AS FOLLOWS:
 - 1. FOR THE FIRST VERIFIED VIOLATION WITHIN TWELVE MONTHS, ONE NIGHT'S RENT FOR THE SHORT-TERM RENTAL, UP TO \$500.
 - 2. FOR THE SECOND VERIFIED VIOLATION WITHIN TWELVE MONTHS, TWO NIGHTS' RENT FOR THE SHORT-TERM RENTAL, UP TO \$1,000.
 - 3. FOR THE THIRD AND ANY SUBSEQUENT VERIFIED VIOLATION WITHIN TWELVE MONTHS, THREE NIGHTS' RENT FOR THE SHORT-TERM RENTAL, UP TO \$3,500.
- C. IN ADDITION TO THE PENALTY IN SUBSECTION B., ANY OWNER WHO RENTS OR OFFERS TO RENT A SHORT-TERM RENTAL WITHOUT A PERMIT IS SUBJECT TO A CIVIL SANCTION OF \$1,000 PER MONTH.
- D. NOTWITHSTANDING SUBSECTION C. OF THIS SECTION, IF A PERSON OBTAINED A PERMIT WITHIN 30 DAYS AFTER RECEIVING THE COMPLAINT THAT NOTICES THE VIOLATION OF SUBSECTION C., THE COURT SHALL DISMISS THE COMPLAINT FOR VIOLATING SUBSECTION C. WITHOUT IMPOSING A CIVIL PENALTY.

- E. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, THE SHORT-TERM RENTAL OWNER, AGENT, OR RENTER WHO CAUSES, PERMITS, FACILITATES, AIDS, OR ABETS THE USE OF A SHORT-TERM RENTAL IN VIOLATION OF ANY PROVISION OF THIS CODE IS SUBJECT TO CIVIL SANCTION AS SET FORTH IN SUBSECTION B. OF THIS SECTION.

- F. ANY SHORT-TERM RENTAL OWNER, AGENT, OR RENTER WHO CAUSES, PERMITS, FACILITATES, AIDS, OR ABETS ANY VIOLATION OF ANY PROVISION OF THIS ARTICLE OR WHO FAILS TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE IS GUILTY OF A CLASS 1 MISDEMEANOR.

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