



SHORT-TERM RENTAL GUIDE / CHECKLIST / ACKNOWLEDGMENTS

TO VIEW THE FULL ORDINANCE REGARDING VACATION RENTALS AND SHORT-TERM RENTALS YOU CAN VISIT OUR WEBSITE: www.BisbeeAZ.GOV

OR USE THE FOLLOWING LINK: <https://www.bisbeeaz.gov/DocumentCenter/View/9830/O-22-15?bidId=>

DEFINITIONS:

- ⇒ **ADVERTISEMENT** means any method of soliciting the use of property for vacation rental purposes.
- ⇒ **APPLICANT** means the owner or owner's designee who applies with the City for a permit or renewal of a permit.
- ⇒ **DAYS** shall mean calendar days unless stated otherwise.
- ⇒ **DESIGNEE** and **AGENT** are interchangeable for purposes of this Article and mean any person or persons with the charge, care, or control of any property, dwelling unit, or portion thereof. **"DESIGNEE"** includes the **EMERGENCY POINT OF CONTACT**.
- ⇒ **EMERGENCY POINT OF CONTACT** means the owner or individual designated by the owner to: (i) serve as the local twenty-four (24) hour emergency point of contact for the vacation rental; and (ii) respond to complaints and emergencies relating to the vacation rental in a timely manner as required by this Article.
- ⇒ **NEIGHBOR NOTIFICATION** means the written notice provided by the owner to each single-family residential property adjacent to the vacation rental property, directly across from the vacation rental property, and diagonally across the street or stairs of the vacation rental property that includes the valid permit number issued by the City the physical address of the vacation rental, and the name, address, and twenty-four (24) hour telephone number of the emergency point of contact.
- ⇒ **NONRESIDENTIAL USE** means any use that is not permitted in a residential zoning district pursuant to a City zoning ordinance.
- ⇒ **ONLINE LODGING MARKETPLACE** has the same meaning prescribed in A.R.S. § 42-5076.
- ⇒ **OWNER** means any person who, alone or with others, has title 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 any property, dwelling unit, or portion thereof.
- ⇒ **PERMIT** means authorization by the City to operate a vacation rental in accordance with this Article.
- ⇒ **PERSON** means an individual, public entity, firm, corporation, partnership, limited liability company, trust, association, or any other business entity or juridical person, whether operating on a for-profit or nonprofit basis.
- ⇒ **SHORT-TERM RENTAL** and **VACATION RENTAL** are interchangeable for purposes of this Article and mean 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. **VACATION RENTAL** does not include:
 - (i) accommodations or 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.
- ⇒ **TIMELY MANNER** means responding to complaints and emergencies in person, by phone, or by email within sixty (60) minutes from the request by public safety personnel.
- ⇒ **TRANSACTION PRIVILEGE TAX LICENSE** is the license issued by the State of Arizona pursuant to A.R.S., Title 42.
- ⇒ **TRANSIENT** has the same meaning prescribed in A.R.S. § 42-5070.

BACKGROUND CHECKS REQUIRED SECTION 8.9.10 OF ORDINANCE O-22-15

- (A) No sex offender shall be permitted to rent or occupy the vacation rental. Owners who allow a sex offender at the vacation rental shall be found in violation of this Section 8.9.10.
- (B) Within twenty-four (24) hours of every booking and before a guest's check-in, a sex offender background check on each booked guest shall be conducted by the owner or by the online lodging marketplace on which the vacation rental is advertised to ensure there are no sex offenders at the vacation rental. The owner shall demonstrate compliance with this requirement by retaining a full copy of each background check for a minimum of twelve (12) months after the booking date and providing the copy to the City upon a request by a police officer.
- (C) In addition to any other penalty pursuant to the City Code, any person who violates this Section 8.9.10 shall be subject to a civil offense.
- (D) The failure of an online lodging marketplace to conduct a background check shall not relieve the owner of liability under this Section 8.9.10.

APPLICANT SIGNATURE ACKNOWLEDGING BACKGROUND CHECKS ARE REQUIRED:

X _____

NEIGHBOR NOTIFICATION REQUIRED SECTION 8.9.6 OF ORDINANCE O-22-15

- (A) **NEIGHBOR NOTIFICATION** Prior to offering a vacation rental for rent for the first time, the owner or designee shall provide neighbor notification to each single-family residential property adjacent to the vacation rental property, directly across from the vacation rental property, and diagonally across the street or stairs of the vacation rental property. The neighbor notification shall be provided in writing in the form required by the City and shall include the following minimum information:
 - 1) The physical address of the vacation rental; and
 - 2) The name, physical address, email address, and twenty-four (24) hour telephone number of the emergency point of contact.
- (B) **ADDITIONAL NEIGHBOR NOTIFICATION REQUIRED** Any change to the information provided under Subsection A shall require additional neighbor notification by the owner or designee not later than five (5) days prior to each change. The additional notification shall be provided in the manner required by Subsection A.
- (C) **ATTESTATION** Prior to offering a vacation rental for rent for the first time, ***the owner or designee shall provide to the City an attestation of compliance with the neighbor notification required by this Section 8.9.6.***
- (D) **VIOLATIONS** In addition to any other penalty pursuant to the City Code, a violation of this Section 8.9.6 shall be a civil offense.
 - ATTESTATION OF COMPLIANCE IS ATTACHED**
(Attestation a confirmation signed by the neighbor's stating they were notified of the Short-Term / Vacation Rental)

APPLICANT SIGNATURE ACKNOWLEDGING NEIGHBOR NOTIFICATIONS ARE REQUIRED:

X _____

ADVERTISEMENT REQUIREMENTS SECTION 8.9.7 OF ORDINANCE O-22-15

(A) *Required Disclosure.* To protect the peace, health, safety, and general welfare of the City's residents and visitors, the owner or owner's designee shall be responsible for displaying the permit number issued by the City on each advertisement for such vacation rental.

(B) *Violations.* In addition to any other penalty pursuant to the City Code, a violation of this Section shall be a civil offense. Each advertisement in violation of this Section 8.9.7 shall constitute a separate violation.

ADVERTISEMENTS ATTACHED

APPLICANT SIGNATURE ACKNOWLEDGING ADVERTISEMENT REQUIREMENTS:

X _____

POSTING ON THE PROPERTY REQUIRED SECTION 8.9.8 OF ORDINANCE O-22-15

(A) *Posting at the Vacation Rental.* The owner of the vacation rental must display the name, phone number, and email address of the owner or designee, and emergency point of contact in a conspicuous place within 3 feet of the primary entrance of the vacation rental.

(B) *Failure to Comply.* In addition to any other penalty pursuant to the City Code, a violation of this Section 8.9.8 shall be a civil offense. Each day a vacation rental does not display the information required by this Section 8.9.8 shall constitute a separate violation.

POSTING ATTACHED

APPLICANT SIGNATURE ACKNOWLEDGING POSTING ON THE PROPERTY REQUIREMENT:

X _____

INSURANCE REQUIRED SECTION 8.9.9 OF ORDINANCE O-22-15

(A) *Required insurance.* Prior to offering or renting a vacation rental for rent for the first time, liability insurance appropriate to cover the vacation rental in the aggregate of at least \$500,000 shall be provided by the owner or the online marketplace platform.

(B) *Proof of insurance.* Proof of the required liability insurance coverage shall be provided to the City no later than 10 days prior to offering or renting the vacation rental for rent for the first time.

(C) *Violation.* In addition to any other penalty pursuant to the City Code, a violation of this Section 8.9.9 shall be a civil offense. Each day a vacation rental lacks the insurance required by this Section 8.9.9 shall constitute a separate violation.

INSURANCE ATTACHED

APPLICANT SIGNATURE ACKNOWLEDGING INSURANCE REQUIREMENT:

X _____

SAFETY INSEPTION AND EQUIPMENT REQUIRED 8.9.11 OF ORDINANCE O-22-15

(A) To protect the health, safety, and general welfare of all vacation rental occupants, vacation rentals must meet the minimum standards for habitable structures set forth in City Code and the Zoning Ordinance and the following requirements:

(1) Initial Safety Inspection. Prior to use of a property as a vacation rental, the owner shall obtain an initial safety inspection from the City to ensure the structure meets the minimum requirements for fire, building, and those additional requirements provided for in this Article.

(2) Smoke and carbon monoxide (CO) detection and notification system. A working smoke alarm and carbon monoxide (CO) alarm system, which may require the installation and maintenance of several detection units, shall be present within the vacation rental and maintained annually as required under NFPA (National Fire Protection Association) 72. The owner shall keep and make available for inspection upon request by the City a record of all inspections and maintenance activities.

(3) Fire extinguisher. A portable, multi-purpose fire extinguisher shall be installed, inspected, and maintained as required under NFPA 10 in any kitchen area and on each floor of a vacation rental and within 20 feet of every outdoor fire feature, fire pit, patio heater, fireplace, or other areas with fire. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location of the fire extinguisher.

FIRE SAFETY CHECKLIST:

- A minimum class 2A:10BC fire extinguisher shall be in a conspicuous location where it will be readily accessible and immediately available for use. This must be on all levels of the property. All fire extinguishers are required to be serviced and tagged by a licensed contractor.
- Smoke detectors are required to be in working condition and are to be in all sleeping rooms and hallways leading to the sleeping rooms.
- Carbon Monoxide Detectors must be installed and remain in good working order if the property has gas appliances. This includes heaters, stove, water heater, or any other appliance requiring a gas hookup to function. Carbon Monoxide Detectors must be located within the living space with one on each level of the property. ***Not Required for Properties WITHOUT Gas Services***
- If a fire sprinkler system has been installed it must be in working condition.
- All electrical outlets, light switches, junction boxes, and other related electrical wiring must have cover plates on and be in good working condition. All electrical circuit breakers are required to be labeled in a manner that will indicate where and what the breaker services. ***No Faulty or Exposed Wiring***
- Storage of combustible or flammable items is not allowed in furnace rooms, mechanical rooms, or electrical rooms.
- All plugs in the kitchen, bathrooms, and within six (6) feet of a water source must be GFCI/GFI protected. All exterior outlets must have waterproof covers.
- Portable space heaters are to be a minimum of three (3) feet from combustible materials and not used for primary heat source.
- Extension cords must be in good condition, used safely, must not be placed under

carpets, or across any walking areas. ***Not Allowed for Permanent Wiring***

- Must have adequate egress windows in all bedrooms and escape exits in case of fire.
- Decks, balconies, handrails, guardrails, stairs, sidewalks, and walkways must remain structurally sound and in good working condition.
- Any outside cooking device or outdoor cooking fire must be approved by inspector as well as the location of device/outdoor cooking fire pit.
- No leisure fires will be permitted without approval from the City of Bisbee Fire Department. (520-432-4110)

APPLICANT SIGNATURE ACKNOWLEDGING SAFETY INSPECTION AND EQUIPMENT IS REQUIRED:

X _____

ENHANCED PENALTIES SECTION 8.9.13 OF ORDINANCE O-22-15

(A) The remedies in this Article are cumulative and the City may proceed under one or more such remedies.

(B) In addition to any other penalty pursuant to the City Code, and notwithstanding any other law, the City may impose a civil penalty of the following amounts against an owner if the owner causes, allows, facilitates, aides, or abets a verified violation of any provision of this Article or fails to perform any act or duty required by this Article, related to the same vacation rental property within the same twelve-month period:

- (1) Up to \$500 or up to an amount equal to one night's rent for the vacation rental as advertised, whichever is greater, for the first violation.
- (2) Up to \$1,000 or up to an amount equal to two nights' rent for the vacation rental as advertised, whichever is greater, for the second violation.
- (3) Up to \$3,500 or up to an amount equal to three nights' rent for the vacation rental as advertised, whichever is greater, for a third and any subsequent violation.

If multiple violations arise out of the same response to an incident at a vacation rental, those violations are considered one violation for the purpose of assessing civil penalties.

(C) In addition to any other penalty pursuant to the Code, any property that operates as a vacation rental and fails to apply for vacation rental permit in accordance with this Article within thirty (30) days of the application process being made available by the City, must cease operations immediately. In addition to any fines imposed pursuant to this Section 8.9.13, the City may impose a civil penalty of up to one thousand dollars (\$1,000) per month against the owner if the owner or owner's designee fails to apply within thirty (30) days of receiving written notice of the failure to comply with this Article.

APPLICANT SIGNATURE ACKNOWLEDGING ENHANCED PENALTIES:

X _____

FOR OFFICIAL USE ONLY

Premises No. _____ Date Received _____

Signature of Staff who received: _____

FAQ FOR SHORT-TERM RENTALS

- ❑ **WHY IS A BACKGROUND CHECK NEEDED** *Background checks are a state statute requirement. Information on that can be found under Arizona Revised Statute No. 90-500.39*
- ❑ **HOW TO DO A BACKGROUND CHECK** *Companies such as Airbnb and VRBO both do background checks for the rentals they have listed. It is the responsibility of the owner to complete a background check if they do not advertise /book through one of those sites.*
- ❑ **DOES A CURRENT SRT OWNER NEED A PERMIT OR JUST NEW OWNERS** *No one is grandfathered in. All owners, current and new, will need a permit.*
- ❑ **WHY DOES A PERMIT COST SO MUCH** *The fee will cover the permit, the cost of the safety inspection and administrative processing.*
- ❑ **IF I RENT ONLY A ROOM, DO I HAVE TO HAVE A PERMIT** *If the room is being rented as a Short-Term Rental, Yes.*
- ❑ **WHAT IF I DON'T LIVE IN TOWN, DO I STILL HAVE TO HAVE A CONTACT PERSON** *Yes, someone will need to be listed as an emergency contact.*
- ❑ **HOW DO I GET A TRANSACTION PRIVILEGE TAX NUMBER** *You can obtain one by calling the Arizona Department of Revenue.*
- ❑ **WHERE DO I GET A BUSINESS LICENSE** *Business License Applications can be found on the city website www.BisbeeAZ.gov or by coming into City Hall located at 118 Arizona Street, Bisbee, AZ 85603.*



City of Bisbee /REGISTRATION APPLICATION FOR SHORT-TERM RENTAL PROPERTY PERMIT

118 Arizona Street, Bisbee, AZ 85603

Ph (520) 432-6000 / BisbeeAZ.gov

PERMIT NO. _____

REGISTRATION APPLICATION FOR VACATION /SHORT-TERM RENTAL PROPERTY PERMIT

VACATION/SHORT-TERM RENTAL PERMIT FEE \$250.00 TO BE PAID AT THE TIME OF SUBMITTAL

Applicant's Name:

Mailing Address:

Phone Number:

Alternate Phone Number:

Email Address:

APPLICATION TYPE

Check One: New Rental Registration

New Owner of Existing Rental

Former Owner (if applicable):

Previous Registration Number:

Check Any That Apply: Name Change Only

Location Change

Ownership Change

Current Registration Number (if applicable):

Date of Change:

BUSINESS PREMISES INFORMATION:

Do you own the Rental Location: YES NO

If no, Complete the Landlord/Property Manger Information Below

Landlord/Property Manager Name:

Phone Number:

Mailing Address(required):

Email:

Please List All Platforms Rentals are Listed:

License and Insurance Information:

Please attach a copy of your City of Bisbee Business License

Certificate of current Insurance (Must include Company Name, Liability Amount, and Date of Policy)

RENTAL PREMISES INFORMATION:

Street Address: _____ Whole House Rental or Partial House Rental

Parcel Number: _____

Total Number of Bedrooms: _____ Number of Parking Spaces: _____

2nd RENTAL PREMISES INFORMATION:

Street Address: _____ Whole House Rental or Partial House Rental

Parcel Number: _____

Total Number of Bedrooms: _____ Number of Parking Spaces: _____

24 HOUR EMERGENCY CONTACT INFORMATION (REQUIRED)

Name: _____ Phone Number: _____

Physical Address: _____ Alternate Phone Number: _____

NEIGHBOR NOTIFICATION (REQUIRED)

Please attach the Following Documents:

- Copy of Written Neighbor Notification
- List of All Property Addresses Provided Notification Letter

****Complete Before Business License Application- See Short-Term Rental Registration Guide****

THE FOLLOWING ITEMS ARE REQUIRED

All Items Located in the Short-Term Rental Registration Guide

- o Completed Safety Checklist with New/Annual Fire Inspection Receipt
- o Signature – Acknowledging **O-22-15 Sec. 8.9.10 Background Checks Required** has been read and will be adhered to in its entirety.
- o Signature – Acknowledging **O-22-15 Sec. 8.9.13 Enhanced Penalties** has been read in its entirety.

Applicant's Signature: _____ Date: _____

FOR OFFICIAL USE ONLY Premises No. _____ Date Received _____

Signature of Staff who received: _____