

RSTR Temporary Ordinance December 19, 2024 Town Council

Procedural Note

Attached is a draft ordinance based on the plain language provisions discussed by the Town Council on December 5 and that has been modified in response to the December 12 Planning Commission hearing and recommendation memo.

The ordinance only affects business license administration and makes no changes to any land use provisions. However, a Town Council hearing is required by §153.075 before final action because this temporary ordinance modifies part of Chapter 153.

The draft includes making payment of sales and transient room tax a condition for license renewal because tax payment was a planning recommendation. Councilmember Ellis has expressed concern that this provision applies to CUP renewal not business license renewal, and that adding this requirement increases staff workload.

I will be prepared to make the following motion: **"The Town Council approves scheduling Ordinance 2025-A, draft dated 121624, for a public hearing and final action at the January 2 meeting."**

References

LUDMA 10-9a-502 requires a hearing by planning commission on a land use regulation but only requires a "public meeting" by the legislative body. The town council hearing for changes to Chapter 153 is only a Boulder requirement.

See. § 153.075 PROCEDURES FOR AMENDING THIS CHAPTER AND ZONING DISTRICTS MAP AMENDMENTS (REZONES) and 153.382 (Required Notice)

**ORDINANCE 2025-A
BOULDER TOWN, UTAH**

AN ORDINANCE TO MAKE TEMPORARY CHANGES TO THE RESIDENTIAL SHORT-TERM RENTAL BUSINESS LICENSE RENEWAL PROCESS.

Whereas The Boulder Town Council has been made aware of problems in the administration of business license renewals caused by provisions in the current version of §153.204 Residential Short-Term Rentals (RSTRs); and

Whereas The council finds that allowing the existing licensed RSTRs to continue to operate while the ordinance is being revised is fair and equitable; and

Whereas the council has considered to input from the Planning Commission following a public hearing on this issue,

NOW, THEREFORE, BE IT ORDAINED BY THE BOULDER TOWN COUNCIL THAT THE BOULDER TOWN ORDINANCES BE AMENDED AS FOLLOWS:

INSERT THE FOLLOWING

153.204 (H) Notwithstanding any provision to the contrary in §110.01 through §110.07 and §153.204 items (A) through (G) the Town Clerk is authorized to issue calendar year 2025 renewal business licenses to all residential short-term rentals, bed and breakfast inns, campgrounds, RV parks and guest ranches that:

- a) previously received a Conditional Use Permit,
- b) received a calendar year 2024 business license
- c) collected sales and transient room tax for rentals at any time during 2023 or 2024.

153.204 (I) No new RSTR applications will be accepted while this temporary ordinance is in effect.

153.204 (J) This temporary ordinance will sunset and items 153.204 (H) and (I) will expire on December 31, 2025.

APPROVED and PASSED by the Boulder Town Council, State of Utah, on this _____ day of _____, 2025.

ATTEST:

Boulder Town Clerk _____

Boulder Town Mayor _____

VOTE:

Judy Drain, Mayor _____

Josh Ellis, Councilmember _____

Ray Gardner, Councilmember _____

Gladys LeFevre, Councilmember _____

John Veranth, Councilmember _____