

MOTION BY SUPERVISOR LINDSEY P. HORVATH

March 19, 2024

Revising the Proposed Short-Term Rentals Ordinance to Align Implementation in the Santa Monica Mountains North Area

The California Coastal Act grants the California Coastal Commission broad authority to regulate development in the County's Coastal Zones, including in the County's Santa Monica Mountains Coastal Zone. Accordingly, the proposed Short-Term Rentals Ordinance introduced today must be incorporated into the County's Local Coastal Plans and certified by the California Coastal Commission before the ordinance may be enforced in the County's Coastal Zones. Certification by the Coastal Commission is anticipated to take, at a minimum, one to two years.

The Santa Monica Mountains North Area is adjacent to the Santa Monica Mountains Coastal Zone, with the two communities sharing neighborhoods, geography, kindred lifestyles, and interests. Given the similarities between the two communities the County should align application of the Short-Term Rental Ordinance to the Santa Monica Mountains North Area with the effective date in the Santa Monica Mountains Coastal Zone.

MOTION

SOLIS	_____
MITCHELL	_____
HAHN	_____
BARGER	_____
HORVATH	_____

I THEREFORE MOVE that the Board of Supervisors substitute the proposed Short-Term Rentals Ordinance with the attached revised Short-Term Rentals Ordinance which makes the following change to Section 7.96.150 Effective Date, to add the underlined text:

7.96.150 Effective Date.

A. _____ This Short-Term Rentals Registration Ordinance will take effect one-hundred eighty (180) days from the date of final passage by the Board of Supervisors.

B. This Short-Term Rentals Registration Ordinance will not take effect in the County Coastal Zones until certified by the California Coastal Commission.

C. This Short-Term Rentals Registration Ordinance will not take effect in the Santa Monica Mountains North Area until it is effective in the Santa Monica Mountains Local Coastal Plan.

A copy of the entire revised ordinance is attached.

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LPH:DS

ANALYSIS

This ordinance constitutes the Los Angeles County Short-Term Rentals Registration Ordinance which amends Title 7 – Business Licenses of the Los Angeles County Code by adding Division 3 – Short-Term Rentals Registration to regulate Short-Term Rentals in the Unincorporated areas of the County. The ordinance:

- Requires that a Short-Term Rental Host register each year and pay an annual fee of \$914;
- Restricts Short-Term Rentals to a Host's Primary Residence;
- Prohibits Accessory Dwelling Units, Rent Restricted Primary Residences, and Vacation Rentals from being used as Short-Term Rentals;
- Regulates the operation of Short-Term Rentals, including restricting the number of guests, length of stays, and types of events;
- Regulates Hosting Platforms (e.g., Airbnb, VRBO) by requiring compliance with County regulations; and
- Establishes an enforcement and appeals process, including imposition of penalties and fees for noncompliance.

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By 
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PMB:EMM:lp

Requested: 03/01/2019
Revised: 03/11/2024

ORDINANCE NO. _____

This ordinance constitutes the Los Angeles County Short-Term Rentals Registration Ordinance which amends Title 7 – Business Licenses of the Los Angeles County Code by adding Division 3 – Short-Term Rentals Registration to administer a Short-Term Rentals Registration program in the Unincorporated areas of Los Angeles County. The ordinance limits Short-Term Rentals activity and establishes the regulations, fees, and penalties for implementing, administering, and enforcing the ordinance.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Division 3 is hereby added to read as follows:

Division 3 **SHORT-TERM RENTALS REGISTRATION.**

SECTION 2. Chapter 7.96 is hereby added to read as follows:

Chapter 7.96 **GENERAL SHORT-TERM RENTALS REGISTRATION**

REQUIREMENTS.

7.96.010 **Purpose and Intent.**

7.96.020 **Short Title.**

7.96.030 **Definitions.**

7.96.040 **Short-Term Rentals Registration.**

7.96.050 **Ineligible Short-Term Rentals.**

7.96.060 **Operational Regulations and Prohibitions.**

7.96.070 **Host Requirements.**

7.96.080 Hosting Platform Requirements.

7.96.090 Cumulative Penalties.

7.96.100 Investigations.

7.96.110 Enforcement.

7.96.120 Appeals.

7.96.130 Severability and General Provisions.

7.96.140 Implementation.

7.96.150 Effective Date.

7.96.010 Purpose and Intent.

The proliferation of unregulated Short-Term Rentals has the potential to erode available housing stock, degrade community and residential character, and circumvent the legally-authorized collection of the County's Transient Occupancy Tax, which includes all forms of transient housing and hoteling, including, but not limited to, Short-Term Rentals, for stays of thirty (30) consecutive Days or less. The purpose of this Short-Term Rentals Ordinance is to allow for the efficient use and rental of Primary Residences without reducing the housing stock available for long-term occupancy or detracting from the surrounding character of residential neighborhoods in the Unincorporated areas of the County. It is a priority for the County to strike a balance between the economic benefits of Short-Term Rentals and the potential impacts to neighborhoods and quality of life for residents. This ordinance establishes registration requirements, regulations, and fees for Short-Term Rentals in the Unincorporated areas of the County.

7.96.020 Short Title.

This ordinance codified in Title 7, Division 3, of this County Code will be known as, and may be cited as, the "Short-Term Rentals Ordinance."

7.96.030 Definitions.

For purposes of this Chapter, "may" is permissive and "must" is mandatory. The terms used in this Division 3 - Short-Term Rentals Registration ordinance have the following meanings:

A. "Accessory Dwelling Unit" means a dwelling unit with independent exterior access that is either attached to, located within the existing living area of, or detached from and located on the same lot as, a single-family residence or multi-family residential building, as defined by Section 22.14.010 of the County Code.

B. "Applicant" means a Person who applied for, but is not yet issued, a Short-Term Rentals Registration Certificate. Applicant includes a Registrant applying for an annual Renewal.

C. "Application" means a request for a Short-Term Rentals Registration Certificate to the Tax Collector made In Writing and in the proper form with the correct fee payment.

D. "Booking Transaction" means any reservation and/or payment service provided by a Person to facilitate a Short-Term Rental transaction between a Host and a Guest.

E. "County Code" means the Los Angeles County Code.

F. "County" means the County of Los Angeles.

G. "Days" means calendar days, which is all days including Saturdays, Sundays, and holidays, unless otherwise specified.

H. "Guest" means the Person renting a Short-Term Rental for transient occupancy and includes all Persons identified in the booking or reservation.

I. "Hearing Officer" means the Person designated by the Tax Collector who will conduct a fair and impartial hearing under this Chapter, including, but not limited to, the Office of the County Hearing Officer if one has been created.

J. "Host" means a Registrant, whether in the capacity of a Property Owner, lessee, or sub-lessee, renting their Primary Residence for Short-Term Rentals pursuant to this Chapter.

K. "Hosted Stay" means a Short-Term Rentals activity whereby the Host resides on the property throughout the Guest's occupancy (except for daytime and/or work hours), either:

1. In a portion of the Primary Residence; or
2. In an Accessory Dwelling Unit or in a detached Residential Unit

provided there are no more than two Residential Units located on the property and they are detached.

L. "Hosting Platform" means a marketplace in whatever form or format facilitating Short-Term Rentals activity through advertising, matchmaking, or any other means, using any medium of facilitation, and from which the operator of the Hosting Platform derives revenues, directly or indirectly, including fees for Booking Transactions or advertising revenues from providing or maintaining the marketplace.

M. "In Writing" means in written form and includes, but is not limited to, handwriting, typewriting, printing, and writings sent via electronic data transmission.

N. "Local Responsible Contact" means the Host, or another individual designated by the Host, who must be reachable by telephone at all times during all Short-Term Rentals stays to respond timely and take remedial action regarding Short-Term Rentals complaints.

O. "Person" means any individual, partnership, limited liability company, corporation, trust, joint venture, association, estate, unincorporated organization, or any other legal entity.

P. "Primary Residence" means a Host's permanent residence or usual place of return for housing as documented by at least two (2) of the following in the Host's name: motor vehicle registration, driver's license, voter registration, property tax bills (showing the Host's residence), lease agreement, or utility bill. A Host may have only one (1) Primary Residence. A Host must reside on the property for a minimum of two hundred seventy-five (275) Days per calendar year either in the Primary Residence, or in an Accessory Dwelling Unit or in a detached Residential Unit in accord with Section 7.96.030.K.

Q. "Property Owner" means any Person, firm, or other legal entity who receives or is entitled to receive rent or a lease payment for the use of any rental or leased property, including Short-Term Rentals, or the agent representative or successor thereof.

R. "Registrant" means a Person issued a Short-Term Rentals Registration Certificate.

S. "Renewal" means a Registrant completes and submits an Application with the required fee payment for approval of a subsequent Short-Term Rentals Registration Certificate.

T. "Rent Restricted Primary Residence" means a Primary Residence subject to housing restrictions by deed or agreement by the County or another public agency or authority as affordable housing, or subject to an agreement that provides a housing subsidy for affordable housing, or which is restricted under State or federal law or administrative regulation.

U. "Residential Unit" means a habitable, permitted, self-contained living space that is intended for occupancy by an individual or a single household.

V. "Short-Term Rental" means use of a Primary Residence, or portion thereof, for the purposes of providing temporary lodging for compensation for occupancy of thirty (30) consecutive Days or less, counting portions of Days as full Days.

W. "Short-Term Rentals Registration Certificate" means a County document authorizing a Registrant to engage in Short-Term Rentals activity at a specific Primary Residence, and includes a Registration number, issuance date, and expiration date. A Short-Term Rentals Registration Certificate may not be sold, assigned, or transferred, and does not run with the land.

X. "Tax Collector" means the Treasurer and Tax Collector of the County, their designated deputy, agent, representative, or designee.

Y. "Transient Occupancy Tax" means the tax identified in Chapter 4.72 of the County Code.

Z. "Un-Hosted Stay" means a Short-Term Rentals activity that is not a Hosted Stay.

AA. "Unincorporated areas" means areas in Los Angeles County outside the jurisdictional boundaries of incorporated cities.

AB. "Vacation Rental" means a dwelling unit that is not a Primary Residence and which is available for temporary lodging, for compensation. The term "Vacation Rental" does not include bed and breakfast inns, hotels, or a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are paid monthly.

7.96.040 Short-Term Rentals Registration.

A. Before Primary Residences are rented as Short-Term Rentals to any Guest, a Person must submit an Application and obtain a Short-Term Rentals Registration Certificate from the Tax Collector pursuant to the provisions of this Chapter.

B. Short-Term Rentals Registration Certificates are valid for one (1) year from the date of issuance. Registrants may renew Short-Term Rentals Registration Certificates on an annual basis prior to expiration by submitting the Application

prescribed by the Tax Collector with payment of the annual Short-Term Rentals registration fee amount.

C. An Applicant must apply for a Short-Term Rentals Registration Certificate in the format prescribed by the Tax Collector and pay the annual Short-Term Rentals registration fee amount of nine hundred fourteen dollars (\$914), payable to the Tax Collector. The Tax Collector may subsidize the registration fee during the first year of this Short-Term Rentals Ordinance's implementation for low-income individuals/households.

1. The Application must include the following:

a. Information needed to verify the Host's identification and Primary Residence;

b. Identification of the Local Responsible Contact;

c. A list of all Hosting Platforms to be used;

d. Whether Un-Hosted Stays will be offered; and

e. Any other information required by the instructions on the Application and/or the guidelines promulgated by the Tax Collector.

2. The Tax Collector will not process an Application until the Short-Term Rentals annual registration fee amount identified in Section 7.96.040.C is remitted to the Tax Collector.

D. The Host must sign an affidavit under penalty of perjury affirming the following requirements are met before the Tax Collector will issue a Short-Term Rentals Registration Certificate:

1. The Short-Term Rentals unit is the Host's Primary Residence;
2. The Host or a Local Responsible Contact must be reachable by telephone at all times during Short-Term Rentals stays to respond to and take remedial action regarding Short-Term Rentals concerns or complaints;
3. All Hosted and Un-Hosted Short-Term Rentals must be for thirty (30) consecutive Days or less;
4. Hosted Stays must be for a minimum of one (1) night;
5. Un-Hosted Stays must be for a minimum of two (2) consecutive nights;
6. Un-Hosted Stays may not exceed ninety (90) nights per calendar year;
7. Consent from the Property Owner by notarized signature granting authorization for use of the Primary Residence for Short-Term Rentals;
8. The Short-Term Rentals unit is not an Accessory Dwelling Unit, Rent Restricted Primary Residence, or Vacation Rental;
9. The Host certifies compliance with all requirements of this Chapter, the County Code, and all applicable State, federal, or other local laws, and Tax Collector procedures;
10. The Host agrees to indemnify, save, protect, hold harmless, and defend the County, its Special Districts, elected and appointed officers, representatives, officials, employees, agents, and volunteers from and against any and all liability, including, but not limited to, claims, demands, damages, fines, obligations, suits,

judgments, penalties, actions, losses, or expenses (including attorney and expert witness fees), arising from and/or relating to Host's actions or inaction in the operation and/or maintenance of their Short-Term Rental; and

11. The Host affirms that any property tax obligation for the Primary Residence for the secured roll is not deemed defaulted by operation of law pursuant to California Revenue and Taxation Code section 3436. Additionally, any property tax obligation on the unsecured roll assessed against the owner or owners of the Primary Residence is paid prior to the applicable delinquency date pursuant to California Revenue and Taxation Code section 2922.

E. If an Applicant for Short-Term Rentals Registration violates this Chapter, the Tax Collector may deny an Application submitted by that Applicant for a period of up to one (1) year.

F. Fees and penalties will be forfeited upon abandonment of an Application, denial of an Application, or when a Short-Term Rentals Registration Certificate is suspended or revoked. The registration fee payment or a portion may be refunded by the Tax Collector if:

1. All or a portion of the registration fee payment was in excess, erroneous, or double payment; or

2. An Applicant withdraws an Application and so notifies the Tax Collector of the withdrawal In Writing before an approval or denial of the Application has been completed by the Tax Collector. The Tax Collector will notify the Applicant of

its determination regarding a reasonable refund of fees within ninety (90) Days of receipt of a notice of withdrawal.

G. In the event of a declaration of a natural disaster or emergency by the State, federal, or local government, including the Board of Supervisors, the Tax Collector may extend payment deadlines, change effective Short-Term Rentals Registration Certificate dates, cancel penalties, and cancel or refund fees for Short-Term Rentals Registrants that have been affected by the emergency or natural disaster when the Tax Collector requests and receives documentation to demonstrate displacement or economic hardship caused by a natural disaster or emergency.

H. Short-Term Rentals Registration Certificates are non-assignable, non-transferable, and will be null and void immediately upon an ownership, lease, or sublease change of any registered property.

I. Duplicate Short-Term Rentals Registration Certificates may be issued to a Registrant or an authorized representative of the Registrant with satisfactory proof of authority to request a duplicate Registration Certificate upon payment of the requisite amount determined by the Tax Collector.

J. If a Primary Residence is subject to a lease or rental agreement or the rules of a homeowners' or condominium association, allowance to engage in Short-Term Rentals through this Chapter must not be inferred to grant any permission that invalidates or supersedes provisions in those agreements, including, but not limited to, any prohibition of, or more stringent restrictions on Short-Term Rentals.

7.96.050 Ineligible Short-Term Rentals.

- A. Short-Term Rentals are not permitted without a valid Short-Term Rentals Registration Certificate.
- B. Short-Term Rentals are not permitted in Rent Restricted Primary Residences.
- C. Short-Term Rentals are not permitted in Vacation Rentals.
- D. Short-Term Rentals are not permitted in Accessory Dwelling Units nor any other form or type of habitable accessory structure, such as guesthouses, pool houses, or recreation rooms.
- E. Short-Term Rentals are not permitted in any part of the property not approved for residential use, including, but not limited to, any vehicles parked on the property (including motor homes, vans, boats, or similar vehicles), storage sheds, trailers, garages, or any temporary or permanent structures, including, but not limited to, yurts, treehouses, tents, or structures used as a place of abode.
- F. Short-Term Rentals are not permitted on any boat, ship, floating facility or vessel, floating home, or houseboat, including those that may serve as a Primary Residence or as a place of abode.

7.96.060 Operational Regulations and Prohibitions.

- A. Short-Term Rentals must be operated, maintained, advertised, booked, and facilitated in a manner that complies with this Chapter, the County Code, and all applicable State, federal, or other local laws.

- B. A copy of a valid Short-Term Rentals Registration Certificate must be posted in a conspicuous place inside the Short-Term Rental.
- C. The Tax Collector will mail notice to the owners of all neighbor properties adjacent and abutting, and if applicable, across a street or alleyway, of the exterior boundaries of the Host's Primary Residence address noted on the Registration Certificate, within seven (7) Days of issuance thereof.
- D. Short-Term Rentals advertisements or listings, including any Hosting Platform advertisement or listing, must include the valid Short-Term Rentals Registration Certificate number issued by the County, depicted in a visible location on the advertisement.
- E. Signs must not be posted on the exterior of Primary Residences to advertise the availability for Short-Term Rentals.
- F. Short-Term Rentals must be reserved and paid for by a Guest at least twenty-one (21) years old.
- G. Short-Term Rentals for Hosted and Un-Hosted Stays must not exceed the maximum of thirty (30) consecutive Days.
- H. Short-Term Rentals for Hosted Stays must be for at least one (1) night.
- I. Short-Term Rentals for Un-Hosted Stays must be for at least two (2) consecutive nights.
- J. Short-Term Rentals for Un-Hosted Stays must not exceed the maximum of ninety (90) nights per calendar year.

K. Guest occupancy is limited to two (2) Persons per bedroom, plus two (2), with a maximum occupancy of twelve (12) Guests per booking or reservation. Lofts that meet California Building Code egress requirements are considered a bedroom for the purposes of this occupancy calculation.

L. Short-Term Rentals must not adversely affect the residential character of the neighborhood by causing nuisance activities, including, but not limited to, illegal parking, disturbances of the peace, excessive noise, vibration, glare, light, odors, littering, or other effects that unreasonably interfere with a community, neighborhood, or any Persons' reasonable enjoyment of their residence.

M. Short-Term Rentals must not be used to host any parties or events causing a nuisance that disrupts the surrounding neighborhood, including, but not limited to, open invite gatherings or parties advertised on social media, commercial events, commercial parties, commercial group gatherings, banquets, corporate events, or any event where an admission fee is charged.

N. Short-Term Rentals with on-site parking pursuant to Sections 22.112.060 and 22.112.070 of the County Code must make the on-site parking available for Guests. If on-site parking includes an area with a shared easement, written consent must be secured from all easement holders by the Host.

O. Short-Term Rentals located in high fire hazard zones, as designated in Title 32 of County Code, Appendix P 102.3, must provide notice on all Short-Term Rentals listings and display notice of the high fire hazard on the exterior of the premises

indicating that smoking of any kind, and any open flame, including the use of outdoor barbecue grills and fire pits, are prohibited in any exterior area of the property.

P. Hosts with a suspended Registration Certificate are prohibited from advertising or renting the Primary Residence for Short-Term Rentals for the duration of the suspension; and a Host whose Short-Term Rentals Registration Certificate has been revoked or lapsed without Renewal may not advertise or rent the Primary Residence for Short-Term Rentals unless and until a new Registration Certificate is authorized by the County.

7.96.070 Host Requirements.

A. The Host must immediately remediate any violations of this Chapter or other provisions of the County Code arising at or pertaining to Short-Term Rentals.

B. Hosts must not operate more than one (1) Short-Term Rental at a time in the Unincorporated areas of the County.

C. Hosts must not allow more than one (1) Short-Term Rental Guest booking per night.

D. Hosts must limit Guest occupancy pursuant to Section 7.96.060.K.

E. The Host is obligated to collect and remit the Transient Occupancy Tax and must fully comply with all requirements of Chapter 4.72 of the County Code, or any successor Sections, including, but not limited to, records maintenance and inspection. Pursuant to Section 7.96.080.C (Hosting Platform Requirements), if a Host Platform does not collect the Transient Occupancy Tax for rentals, Hosts are solely responsible

for collection of all applicable Transient Occupancy Tax and remittance of the collected tax to the County.

F. The Host must provide and maintain in working condition smoke detectors, carbon monoxide detectors, and flashlights on the premises of the Short-Term Rentals unit.

G. The Host must provide and maintain adequate and readily accessible fire extinguishers maintained in proper working order. Each fire extinguisher must carry a suitable tag showing the date of the most recent inspection.

H. Hosts must have a notice posted within Short-Term Rentals in a location clearly marked and easily accessible by the Guest (e.g., posted on the refrigerator or included within a binder placed at a conspicuous location) containing the following information:

1. The maximum number of occupants;
2. Parking capacity, location of on-site parking spaces, and parking rules, if any;
3. Trash and recycling disposal and pickup information;
4. The name and telephone number of the Local Responsible Contact to be contacted on a twenty-four (24) hour basis;
5. Emergency contact information for police, fire, or emergency medical services; and
6. Evacuation plan showing emergency exit routes and fire extinguisher locations.

7.96.080 Hosting Platform Requirements.

A. Hosting Platforms operating or advertising Short-Term Rentals in the Unincorporated areas of the County must comply with the requirements of this Chapter.

B. Hosting Platforms must not process or complete any Booking Transactions for Short-Term Rentals unless the Host has a valid Short-Term Rentals Registration Certificate issued by the County.

C. Hosting Platforms are required to:

1. List the Short-Term Rentals Registration Certificate number on Booking Transactions;

2. Limit all Booking Transactions to thirty (30) consecutive Days or less, as set forth in Section 7.96.060.G;

3. Provide the Tax Collector contact information for an employee or representative of the Hosting Platform that will be responsible for responding to requests for information from the Tax Collector or any County department;

4. Remove any Short-Term Rentals listings from its platform upon notification by the Tax Collector of a violation pursuant to this Chapter; and

5. Inform all Hosts of the Host's responsibility to collect and remit all applicable Transient Occupancy Tax in accordance with Chapter 4.72 of the County Code, as well as any other applicable State, federal, and local taxes.

7.96.090 Cumulative Penalties.

A. Each Day that any violation of this Chapter occurs or continues constitutes a separate and distinct violation. The penalties in this Chapter are cumulative, are not dependent upon the taking of any other action, and preclude no other available remedy.

B. County Counsel may, in the name of the County of Los Angeles, bring suit for all remedies, including, but not limited to, the recovery of any Short-Term Rentals registration fee or penalty required by this Title.

7.96.100 Investigations.

A. The Tax Collector or their designee may investigate any complaint or citation relating to Short-Term Rentals.

B. If after an investigation the Tax Collector or any other County department has reasonable cause to believe that any Short-Term Rentals activity is in violation of the requirements of this Chapter, applicable provisions of the County Code, State, federal, or other local laws, the Tax Collector may issue a notice of noncompliance or notice of continuing violation in accordance with the authority found in the County Code and this Chapter.

7.96.110 Enforcement.

A. The Tax Collector is responsible for the enforcement of this Chapter.

B. Short-Term Rentals Registration Certificates may be suspended, modified, revoked, or denied by the Tax Collector.

C. The Tax Collector or any County department may serve a notice of noncompliance by personal service or registered or certified mail when any Short-

Term Rentals activity is noncompliant and in violation of this Chapter or the County Code. When any Short-Term Rentals activity is occurring without the Short-Term Rentals Registration Certificate required by this Chapter, including when expired, suspended, revoked, or denied, the Tax Collector or any County department may serve a notice of noncompliance or notice of continuing violation by personal service or registered or certified mail. A notice of noncompliance or notice of continuing violation must contain the following:

1. A statement of the noncompliance or continuing violation, including the basis for the determination by the Tax Collector or any County department, a summary of supporting evidence, a directive to immediately cease all Short-Term Rentals activity, and the required amount of fines, fees, and penalties that must be paid;
2. Notice that every Day of noncompliance or continuing violation is a separate and distinct violation with administrative fines issued pursuant to Chapter 1.25 of the County Code, up to the Short-Term Rentals registration fee amount;
3. Notice that the stated noncompliance or continuing violation may be appealed; and
4. Notice that all objections to the validity of service of the notice of noncompliance or notice of continuing violation are deemed waived if a notice of appeal is filed.

D. The Tax Collector or any other County department may take such steps as may be necessary to immediately halt Short-Term Rentals activity if Short-Term

Rentals continue after a notice of noncompliance or notice of continuing violation was served.

E. The Tax Collector may immediately suspend or revoke a Short-Term Rentals Registration Certificate if the Tax Collector or any other County department receives a complaint or citation containing sufficient allegations of an imminent threat to public peace, health, or safety, or of a Short-Term Rental operating in violation of the requirements of this Chapter, the County Code, State, federal, or other local laws.

F. The Tax Collector may suspend or revoke a Short-Term Rentals Registration Certificate if the Registrant is convicted of violating any provision of the County Code, or State and federal laws in a criminal case, or is found in violation of the County Code in a civil or administrative action.

G. Short-Term Rentals Registration Certificates may be revoked if the Registrant has any debt owed to the County for unpaid Transient Occupancy Tax pursuant to Chapter 4.72 of the County Code.

H. If a Short-Term Rentals Registration Certificate is suspended or revoked, the Registrant must cancel any future bookings and remove all advertisements related to Short-Term Rentals.

I. Any suspended or revoked Short-Term Rentals Registration Certificate must be surrendered to the Tax Collector upon notice to the Registrant from the County. If a Short-Term Rentals Registration Certificate is surrendered to the County Sheriff or any County department, the department must notify the Tax Collector.

J. Any Person who violates any provision of this Chapter may be subject to a criminal case, or civil or administrative action, and may be liable for a civil penalty, including, but not limited to, an injunction, fine, and imprisonment in the County for a period not to exceed six (6) months.

K. If a violation of this Chapter is found to be a nuisance, it may be abated. Notice of the abatement of a nuisance will be given to the Property Owner, Registrant, or Host, including notice of the abatement proceeding, and an opportunity to appear. If the nuisance constitutes an immediate threat to public health or safety, the summary abatement of a nuisance may be ordered pursuant to California Government Code section 25845, subdivision (a). A nuisance may also be abated by the imposition of a lien or special assessment for the cost of nuisance abatement pursuant to California Government Code section 25845, subdivisions (b) through (g), and Chapter 1.23 of the County Code. All unpaid abatement costs may be secured by a nuisance abatement lien recorded against the title to Short-Term Rentals where violations occurred and by special assessment placed on the property tax bill of said property. All steps taken to impose a lien and create a special assessment must comply with all applicable requirements of the State, federal, County, or other local laws.

L. Any Person who violates any provision of this Chapter may be subject to administrative fines, noncompliance fees, and other remedies pursuant to Chapter 1.25 of the County Code, including the following:

1. Hosting Platforms: Up to a one thousand dollar (\$1,000) fine per violation per Day may be imposed for violations of any Hosting Platform Requirements as set forth in Section 7.96.080.

2. Hosts: Up to a two thousand dollar (\$2,000) fine per violation per Day may be imposed, or two (2) times the average nightly rate charged, whichever is greater, for any of the following violations:

- a. Booking Short-Term Rentals without a valid Short-Term Rentals Registration Certificate;
- b. A single Host booking Short-Term Rentals at more than one residence within the Unincorporated areas of the County;
- c. Booking Short-Term Rentals where the Host's Short-Term Rentals Registration Certificate is expired, revoked, or suspended;
- d. Booking a Guest on the same night another Guest is reserved to occupy a Short-Term Rental;
- e. Booking a Guest's occupancy for more than the maximum of thirty (30) consecutive Days;
- f. Booking a Hosted Stay that is less than one (1) night;
- g. Booking an Un-Hosted Stay that is less than two (2) consecutive nights; or
- h. Booking Short-Term Rentals exceeding the maximum of ninety (90) nights per calendar year for Un-Hosted Stays.

M. Notwithstanding Subsection L, an administrative fine may not be assessed if a notice states the violation is capable of being cured and is cured by Registrant within ten (10) Days of the date of the notice or date of the notice of noncompliance.

N. The Tax Collector may assess and collect from a Short-Term Rentals Registrant, or a Person operating an unregistered Short-Term Rental, a noncompliance fee of two hundred eighty-five dollars (\$285) for any provision of this Title through a Notice of Noncompliance. Noncompliance fees are due immediately upon issuance of the Tax Collector's notice. A Notice of Noncompliance may be appealed pursuant to Section 7.96.120.

O. Amounts owed under the County Code and this Chapter which are not paid when due will constitute a debt to the County that may be collected in compliance with Section 2.52.040 of the County Code through a civil action, a lien against any property owned or operated by the debtor, or any other legal remedy. Successors to a Short-Term Rentals activity assessed a penalty or fine will be liable for unpaid fees and penalties if the successors had notice of the assessed penalty and amount due.

7.96.120 Appeals.

A. Any Host that receives a notice of noncompliance or notice of continuing violation may file a notice of appeal of any administrative fine, compliance fee, or other enforcement remedy with the Tax Collector or as described in the notice.

B. A notice of appeal must be received by the Tax Collector within ten (10) Days from the date on the notice of noncompliance or notice of continuing violation.

1. Failure to file a notice of appeal within ten (10) Days of the date of the notice may result in the notice of noncompliance or notice of continuing violation to be the County's final decision. However, the Tax Collector in their discretion may forward a notice of appeal to the Hearing Officer if the notice is received later than ten (10) Days after the date of a notice.

2. A notice of appeal must state all bases for an appeal, including a detailed statement of defense to all violations, any supporting evidence, a Person's signature and mailing address, and payment for the cost of an appeal as set forth in the County notice of noncompliance or notice of continuing violation.

C. The Tax Collector may designate a Person qualified to conduct a fair and impartial hearing as a Hearing Officer under this Chapter, including, but not limited to, the Office of the County Hearing Officer if one has been created, and forward the notice of appeal to the Hearing Officer.

1. If a timely and complete notice of appeal is received, an appeal hearing will be scheduled and noticed by the Hearing Officer.

2. The decision rendered following an appeal hearing is the final decision of the County.

D. At any time prior to a final decision by the Tax Collector or the close of an appeal hearing by the Hearing Officer, a notice of noncompliance or notice of continuing violation may be amended or supplemented by the Tax Collector, their designee, or any other County department to add new violations. Notice must be given of all amended

violations pursuant to the notice requirements set forth in this Chapter, and the notice must disclose how to file an appeal or amend a notice of appeal filed previously.

7.96.130 Severability and General Provisions.

A. If any Section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision must not affect the validity of the remaining provisions.

B. The County Board of Supervisors hereby declares that it would have adopted this Chapter, Section, and every subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion would subsequently be declared invalid or unconstitutional.

7.96.140 Implementation.

The Tax Collector is responsible for administration and enforcement of this Chapter and promulgating guidelines and rules consistent with the provisions of this Chapter and the County Code.

7.96.150 Effective Date.

A. This Short-Term Rentals Registration Ordinance will take effect one-hundred eighty (180) days from the date of final passage by the Board of Supervisors.

B. This Short-Term Rentals Registration Ordinance will not take effect in the County Coastal Zones until certified by the California Coastal Commission.

C. This Short-Term Rentals Registration Ordinance will not take effect in the Santa Monica Mountains North Area until it is effective in the Santa Monica Mountains Local Coastal Plan.

[TITLE7DIV3SCCC]