

**CITY OF ENCINITAS
PUBLIC NOTICE OF ORDINANCE ADOPTION
ORDINANCE NO. 2022-15**

NOTICE IS HEREBY GIVEN that the City Council of the City of Encinitas has adopted Ordinance No. 2022-15 titled "An Ordinance of the City Council of the City of Encinitas adopting amendments to Title 9 (Chapter 9.38) and to rename the Chapter to "Regulating Short-term Rental Permits" of the Encinitas Municipal Code pertaining to Short-term Rentals." Proposed Ordinance No. 2022-15 includes proposed amendments to Chapter 9.38 of the EMC for regulating short-term rentals, which includes minor code clean-up in conjunction with the code clean-up occurring within proposed Ordinance No. 2022-16. The proposed code amendments include the following:

- Remove the reference of "duplex" where it occurs and replace it with "two-family dwelling" to be consistent with the references and definition in Title 30.
- Incorporate the three-year permit renewal cycle and specify that a permit may be revoked if the permit is inactive for a 12-month period, which will be monitored through the collection of Transient Occupancy Tax ("TOT").
- Remove a reference to "residential zones" as the City does not regulate short-term rentals based on the zone they are located in, but rather the developed use (single-family or two family dwelling) of the property.
- Add reference to the new Municipal Code Chapter 30.50.
- Amend the exterior display requirements of the short-term rental permit to require that the permit notice be posted at all times and be visible from the public right-of-way. This amendment is proposed as City Code Enforcement staff have found it very difficult to enforce this code section which currently specifies that the permit be posted during the period of short-term rental operation.
- Amend the mandatory language for a hosting platform to collect TOT and make it optional as Staff had heard from hosting platforms that they are not equipped to collect and remit TOT payments to the City.
- Rename Chapter 9.38 from "Regulating Short-term Rentals" to "Regulating Short-term Rental Permits."

Ordinance No. 2022-15 was introduced at the Regular City Council meeting held on November 9, 2022, and adopted at the Regular City Council meeting held on December 14, 2022, by the following vote: AYES: Ehlers, Kranz, Lyndes; NAYS: None; ABSTAIN: None; ABSENT: Hinze (due to a recusal). The Ordinance is on file in the office of the City Clerk, 505 South Vulcan Avenue and may be viewed between the hours of 8:00 a.m. and 5:00 p.m. In compliance with the Americans with Disabilities Act/Section 504 Rehabilitation Act of 1973 and Title VI, this agency is an equal opportunity public entity and does not discriminate on the basis of race, color, ethnic origin, national origin, sex, religion, veteran status or physical or mental disability in employment or the provision of service. /Kathy Hollywood, City Clerk