

ORDINANCE NO. 1222

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING CHAPTER 5.80 (“REGULATION OF SHORT-TERM VACATION RENTALS”) OF TITLE 5 (“BUSINESS LICENSES AND REGULATIONS”) OF THE COACHELLA MUNICIPAL CODE TO AMEND AND UPDATE THE CITY’S REGULATIONS OF SHORT-TERM VACATION RENTALS.

WHEREAS, pursuant to Chapter 5.80 of Title 5 of the Coachella Municipal Code (C.M.C. §§5.80.005 through 5.80.160), the City currently licenses owners of certain residential dwelling units within the City to lease all or some of their property as short-term vacation rentals, for a term of 30 or fewer consecutive days, subject to those conditions and regulations as provided in Chapter 5.80; and

WHEREAS, at a duly noticed public meeting on November 29, 2023, the City of Coachella Planning Commission discussed various policy issues regarding short-term vacation rentals in the City and potential amendments to the City’s short-term vacation rental regulations which recommendations were forwarded on to the City Council; and

WHEREAS, at a duly noticed public Study Session on July 10, 2024, the City Council discussed policy issues and potential amendments to the City’s short-term vacation rental regulations; and

WHEREAS, as part of discussions with residents and interested parties in the City, the City Council hereby adopts these amendments to the City’s regulations for short-term vacation rentals.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT TO MUNICIPAL CODE. Chapter 5.80 of Title 5 of the Coachella Municipal Code is hereby amended to read as follows:

(Note: ~~strikeout~~ is deleted text and **bold underlined** is new text)

“Title 5 Business Licenses and Regulations

Chapter 5.80 Regulation of Short-Term Vacation Rentals

Section 5.80.005. Purpose.

- A. The purpose of this chapter is to establish regulations for the use of privately owned residential dwelling units as short term vacation rentals to minimize secondary impacts of such uses on surrounding residential neighborhoods **and** to ensure the collection and payment of transient occupancy taxes.
- B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this chapter.

Section 5.80.010. Definitions.

The definitions set forth in this section shall govern the meaning and construction of the words and phrases used in this chapter, except where the context of such words and phrases clearly indicates a different meaning or construction.

“Agent” means a person or entity, who does not hold any interest in the property and who has authority to act on behalf of the owner pursuant to Section 5.80.040.

“Annual permit” means an annual permit issued by the city to allow an owner to rent a short term vacation rental pursuant to the regulations contained in this chapter. An annual permit shall have a term of one (1) year from issuance and then must be renewed as provided herein.

"Bedroom" shall mean an area of **room within a** short-term vacation rental ~~normally occupied and being heated or cooled by any equipment for human habitation, which consists of four walls to the ceiling, at least one of which is located along an exterior wall with a window, and contains a built-in closet~~ **designed primarily for sleeping purposes that meets the definition of the applicable California Building, Housing and related Codes currently adopted by the City.**

“Good neighbor guidelines” means a document or documents prepared by the city that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions of this Code and other applicable laws, rules or regulations pertaining to the use and occupancy of short-term vacation rentals.

“Hosting platform” or “hosting site” means a person or entity who participates in leasing short-term vacation rentals by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation. Examples include, but are not limited to, VRBO.com, Airbnb.com, homestay.com and other internet and non-internet based services that facilitate bookings for a fee.

"Owner of a short-term vacation rental" **or “owner”** shall mean the person(s) **or** entity(ies) that hold(s) **record** legal and or equitable title to the subject short term vacation rental.

~~As used in this chapter, the term "owner" shall include owner's authorized representative or agent as set forth in Section 5.80.040.~~

“Responsible party” means the lessee of a short-term vacation rental property, as set forth in any rental oral or written contract.

“Seasonal permit” means a limited-time permit issued by the city to allow an owner to rent a short term vacation rental at the owner’s primary residence pursuant to the regulations contained in this chapter. A seasonal permit shall have a limited term from March 1 to June 1 in any year and shall not allow renting of the subject short term vacation rental during any other time of year. A seasonal permit then must be renewed as provided herein to be used during the limited time period in a subsequent year.

"Short-term vacation rental" shall mean a "dwelling unit" **in a residential property** as defined by the city's zoning ordinance, **or any portion thereof**, that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as but not limited to trade, fee, swap or any other **means** lieu of cash payments. **A hotel or motel room, porch, canopy, tent, “pop-up”, or other structure that is not a “dwelling unit”, shall not constitute a short-term vacation rental.**

Section 5.80.020. Administration.

The provisions of this chapter shall be administered by **the** finance director or such other city employee as may be designated by the city manager, hereinafter referred to as the "permit administrator". In order to facilitate orderly administration of this chapter, the permit administrator shall have the authority to make interpretations and to promulgate administrative regulations consistent with the provisions of this chapter for the purpose of interpreting, clarifying, carrying out, furthering and enforcing the requirements and provisions of this chapter. A copy of such administrative ~~veon~~ regulations shall be on file in the office of the city clerk.

Section 5.80.030. Permit requirement.

- A. No owner of a short-term vacation rental shall rent, offer to rent, or advertise for rent the short-term vacation rental to another person without a **valid and active annual or seasonal** permit approved and issued in the manner provided for by this chapter. **The Annual permits shall have a term of one year from issuance and shall** be required to be renewed on an annual basis in order to remain valid and active. **Seasonal permits shall have a limited term from March 1 to June 1 of the year of issuance. Permits are non-transferrable. The permit shall be conspicuously posted inside the short-term vacation rental and, as set forth in Section 5.80.050, the City permit number shall be included on all advertisements or solicitations for the short-term vacation rental, including, but not limited to hosting sites, websites, social media postings, emails, and print advertisements.**
- B. No person shall rent, offer to rent, or advertise for rent a balcony, patio, **porch, canopy, tent** or other outdoor area of a short-term vacation rental **property**

("outdoor area") if such rental does not occur in connection with the rental of the remaining residence or dwelling unit, **or indoor portion thereof**, to which the outdoor area is attached.

- C. No owner may hold more than five permits of any kind at any one time, except that an owner holding more than five permits as of April 1, 2025, may renew those permits unless they have been revoked or not renewed. This limit shall apply collectively to any corporation, partnership, limited liability company or business entity holding a permit as an owner under this Chapter and to any other corporation, partnership, limited liability company or business entity which is established by, owned by, controlled by, or otherwise affiliated with the permit holder. For example, if a corporation that holds five legal permits under this Chapter forms another business entity, that new business entity may not obtain a permit under this Chapter due to the collective limit already being reached.**
- D. The City may not issue annual permits to more than twenty percent (20%) of the residential dwelling units located within any neighborhood of the City.**
- 1. For purposes of this subsection, a "neighborhood" shall be that area identified in a final recorded subdivision map as being in that neighborhood. If there is no final recorded subdivision map for a particular neighborhood, it shall be defined as the area identified in the official neighborhood map of the city.**
 - 2. If annual permits have already been issued to more than twenty percent (20%) of the residential dwelling units located within a particular neighborhood, the city shall issue no further annual permits for short term vacation rentals in that neighborhood until sufficient annual permits have expired or have been revoked to reduce the total of issued annual permits below this twenty percent (20%) limit.**
 - 3. This limit shall not apply to the issuance of seasonal permits, provided the owner otherwise meets the applicable requirements of this chapter.**
- EE.** No person shall rent, offer to rent, or advertise for rent a dwelling unit, or any portion thereof, as a short-term vacation rental to any partnership, corporation, limited liability company, commercial enterprise, or similar entity.
- EF.** No person who has rented a short-term vacation rental shall sublease such dwelling unit, or any portion thereof, to any other person or entity.
- EG.** No person shall charge an **admission** fee or request or require a donation for entrance into any short-term vacation rental, **independent of the lawful charges and fees for renting the short-term vacation rental.**

Section 5.80.040. Authorized agent or representative.

- A. An owner may authorize an agent ~~or a representative~~ to comply with the requirements of this chapter on behalf of the owner. ("agent")
- B. The owner shall give prior written notice to the city of any grant of such authority, including the identity and contact information for the agent. The owner shall promptly give the city written notice of any change to any such grant of authority.**
- BC.** Notwithstanding subsection (A), the owner of the short-term vacation rental is responsible for compliance with the provisions of this chapter and the owner shall not be relieved from any personal responsibility and/or personal liability for non-compliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental ~~unit~~, regardless of whether such non-compliance was committed by the owner's ~~authorized agent or representative~~, **a responsible party**, or the occupants of the owner's **short-term vacation rental unit** or their guests. Failure of an agent to comply with this chapter shall be deemed non-compliance by the owner.

Section 5.80.050. Advertising shall include permit number.

- A. No person shall offer to rent or advertise for rent a short-term vacation rental without including in the offer or advertisement (whether the advertisement is via website—based, hosting sites, social media posting, e-mail, print media, radio and/or television) the city permit number applicable to the property, ~~in the form "Coachella Permit No. _____."~~ If the offer to rent or advertisement contains different sizes of type or fonts, the permit number shall be printed in the same size type as the large type used in the main body of the offer or advertisement. In the case of audio-only advertising, the city permit number shall be read as part of the advertising.
- B. Any person advertising or causing the advertisement of a short-term vacation rental that contains information regarding the maximum **overnight** occupancy of the short-term vacation rental, shall advertise only the overnight maximum occupancy limit as set forth in the permit issued pursuant to this chapter.

Section 5.80.060. Short-term vacation rental permit applications.

- A. The owner or the owner's agent shall submit an application for a **new or renewed** short-term vacation rental permit required by this chapter in a form required by the city and shall contain the following information and/or documents:
1. The name, address, and telephone number of the owner of the subject short-term vacation rental-~~unit~~.
 2. The name, address, and telephone number of the owner's ~~authorized agent or representative~~ **for the subject short-term vacation rental**, if any.

- ~~3.~~ The name, address, and 24-hour telephone number of the local contact person or agent of the owner who is available twenty-four (24) hours per day, seven days per week for the purpose of responding in person within forty-five (45) minutes to complaints regarding the occupancy, condition, operation, conduct or use of the short-term vacation rental as well as undertaking remedial action to resolve any such complaints and/or correct any violations ("local contact person"). **The type of permit sought (annual or seasonal).**
 - ~~4.~~ Verification that the local contact person can respond in person to the site of the short-term vacation rental unit within forty-five (45) minutes.
 - ~~54.~~ The address of the proposed short-term vacation rental unit.
 - ~~65.~~ The number of bedrooms in the short-term vacation rental unit.
 - ~~76.~~ A nuisance response plan containing the information required by this chapter.
 - ~~87.~~ A copy of owner's transient occupancy registration certificate and city business license.
 - 8. An agreement in a form approved by the city and signed by the owner, whereby the owner agrees to hold harmless and indemnify the city for any actual or alleged liability arising out of conduct occurring at or rental of a short-term vacation rental.**
 - 9. An insurance certificate or other written proof of not less than \$1,000,000 comprehensive general liability insurance coverage in compliance with subsection .100(R) herein, to insure against claims or injuries to persons or damages to property which may arise from or in connection with conduct occurring at or rental of a short term vacation rental.**
 - 10.** Such other information as the permit administrator deems reasonably necessary to administer this chapter.
- B. **Application Fee.** The permit application and ~~annual~~ renewal applications shall be accompanied by an application fee in the amount established by resolution of the city council. ~~Payment of~~ ~~†~~ The renewal fee shall be paid before a permit may be approved and before the short-term vacation rental ~~unit~~ may be subsequently rented. **The fee shall be non-refundable and shall be sufficient to allow for comprehensive and complete enforcement of the regulations in this chapter.**
- C. **If an owner submits a renewal application with the city prior to the permit's expiration date, the permit shall remain valid until the city renders a decision on the permit renewal. Any renewal of an annual permit shall have a term of one (1) year following the date of expiration of the prior permit. Any**

renewal of a seasonal permit shall have a term from March 1 through June 1 for the upcoming year. If an owner seeking renewal of a permit fails to provide all required application information to the city within thirty (30) days following written demand by the city, the application for renewal shall be closed out, no permit renewal shall be issued, and the owner shall be required to submit a new application and fee to the city to seek a new permit.

- ED. Change in Ownership.** ~~Within fourteen (14) days of~~ **Upon** a change of property ownership, ~~change of owner's agent or representative, or any other change in material facts pertaining to the information contained in the application, the~~ **permit shall automatically expire and the successor** owner or **successor** owner's ~~authorized agent or representative~~ shall submit an application for a new permit, which must be obtained prior to continuing to rent the subject ~~unit~~ **property** as a short-term vacation rental. **A change in ownership of a business entity that owns a short-term vacation rental property which is subject to property tax reassessment constitutes a change of ownership for the purposes of this provision and results in the expiration of the permit. Notwithstanding the above, a change of short-term vacation-rental ownership between family members or among spouses, including as a result of death or divorce or transfer to a personal or family trust, shall not result in expiration of a permit. "Family members" shall mean spouses, as well as biological or adopted children, parents, brothers/sisters, grandparents, grandchildren, uncles, aunts, nephews or nieces of the owner. An owner shall notify the City in writing of any change in ownership, whether or not resulting in expiration of the permit, not later than fourteen (14) days after the change.**

Section 5.80.070. Content of nuisance response plans.

- A. Each nuisance response plan accompanying an application for a permit required by this chapter shall contain the following information and otherwise be in a form required by the permit administrator.
1. The mailing address and telephone number of the owner or owners of the residential dwelling unit ~~or units~~ to be used as a short-term vacation rental pursuant to the permit;
 2. The name, address and telephone number of the local contact person or persons who is **will be** available in person and by telephone **24 hours per day**, and who will be responsible for responding to or causing a prompt response **to a phone call by Code Enforcement within 15 minutes and** within forty-five (45) minutes **in person at the rental location** to a nuisance or other complaint arising out of the occupancy, condition, operation or use of the short-term rental(s) by **responsible parties, tenants occupants, their visitors** and/or their guests and/or **for** undertaking remedial action to resolve any such nuisance or other complaint or correct a violation.

- a. ~~No more than a total of three local contact persons shall be designated in the response plan; and~~
 - b. ~~Only one such person shall be designated as the person responsible for responding to a nuisance or other complaint during any particular hours of the day, different days in a week, and/or different weeks of the year.~~
- ~~B. The manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant or complainants will be notified of the response and the method of documenting prompt responses and timely corrective action.~~
- CB.** The manner of assuring timely corrective action to remedy the conditions that caused the nuisance or other complaint. For the purposes of this chapter, "timely corrective action" shall include, at a minimum, a telephone call to the ~~primary occupant of the short-term vacation rental~~ **responsible party** within fifteen (15) minutes of being informed **by the City** of the ~~initial~~ nuisance or other complaint;
- ~~D. The proposed maximum number of overnight occupants, with supporting documentation identifying unusual size, interior layout, parking or other physical characteristics, if any, that support a request for occupancy greater than two persons plus two persons per bedroom.~~

Section 5.80.080. Amendment of response plans.

At any time following the issuance of a permit required by this chapter, the owner of the short-term vacation rental being operated pursuant to such permit may change the content of the nuisance response plan ~~approved incident to the issuance of the permit~~ by filing an amended response plan with the permit administrator. Such amended response plan shall contain all of the information and be in the form required by Section 5.80.070 of this chapter, and shall be accompanied by an amended response plan fee, if any, in an amount established by the resolution of the city council **to recover the costs of review and enforcement of the nuisance response plan.**

Section 5.80.090. Permit approval and issuance.

- A. Upon receipt of an application for a permit required by this chapter, the permit administrator will review the application and supporting documents, and will approve and issue a permit to the owner of the property or properties that are the subject(s) of the application that authorizes the use and occupancy of such property as a short-term vacation rental if the permit administrator finds that the required application fee has been paid, the nuisance response plan submitted with the application conforms to the requirements of this chapter and the short-term vacation rental complies with the provisions of Section 5.80.100 of this chapter. Any permit issued shall contain on its face **its annual or seasonal status and** the overnight maximum occupancy limit as determined by Section 5.80.100 of this chapter.

- B. An application may be denied if the applicant has had a prior short-term vacation rental application for the same unit revoked within the past twelve (12) calendar months. **An application for a new or renewed permit may also be denied if the owner has any unpaid city taxes or fines outstanding that the owner is responsible for, if all administrative appeals have been exhausted, unless the owner has entered into an agreement with the city for payment of said taxes or fines that allows renewal of a permit.**
- ~~C. In the event that a request is made by an applicant for increased overnight occupancy greater than the standard of two persons within each short term vacation rental plus a number that will not exceed two persons per bedroom, as established by Section 5.80.100, the permit administrator may request an interior and/or exterior site visit in order to verify the facts stated in the application and/or may request additional written or photographic documentation from the owner. The owner shall be present during any site visit. The permit administrator's determination on an application for increased occupancy shall be final. No hearing shall be required or conducted. The permit administrator shall be afforded broad discretion with respect to applications for increased occupancy. This chapter shall not be interpreted to create a property interest in potential increased occupancy.~~

Section 5.80.100. Operational requirements and performance standards established.

- A. Each owner, and each ~~tenant~~ **responsible party** or occupant of a short-term vacation rental, shall at all times comply with or cause compliance with the operational and performance standards applicable to short-term vacation rentals they own, lease or occupy, as established by this section.
- B. The owner **and agent** shall ensure that the short-term vacation rental complies with all applicable codes regarding fire, building and safety, and all other relevant laws and ordinances.
- C. The owner shall require the **responsible party** ~~primary overnight and daytime occupant of the short term vacation rental~~ to be an adult twenty-one (21) years of age or older (~~"primary occupant"~~). The ~~primary occupant~~ **responsible party** shall provide a telephone number to the owner and shall be accessible to the owner by telephone at all times.
- D. Prior to occupancy, the owner **or agent** shall obtain the name, address, and driver's license number or a copy of the passport of the ~~primary occupant of the short term vacation rental~~ **responsible party**. **The owner or agent shall also provide to the responsible party a copy of the City's good neighbor guidelines.** The ~~primary occupant~~ **responsible party** is legally responsible for compliance of all occupants of the short-term vacation rental or their guests with all provisions of this chapter and/or the Coachella Municipal Code. This information shall be readily available upon request of any police officer or employee of the city authorized to enforce this chapter or state law.

- E. The owner shall limit overnight occupancy of the short-term vacation rental to **the following:**
1. ~~the permitted number of occupants, with the maximum number of overnight occupants being two persons within each short-term vacation rental plus a number that will~~ **shall** not exceed two persons per bedroom **plus two additional persons** within each short-term vacation rental ("overnight maximum occupancy limit"). The number of bedrooms in a short-term vacation rental shall be verified by the permit administrator using county assessor and/or city building records, prior to the issuance of a permit. ~~The permit administrator in his/ her discretion may, when unusual size, interior layout, parking or other physical characteristics are shown, approve a greater maximum number of overnight occupants.~~
 2. **Notwithstanding the above, the city may permit increased overnight occupancy greater than the limits above for single family residential lots that are at least one-half (1/2) acre in area. An owner whose lot meets this criterion may apply to the city for increased overnight occupancy greater than the limits set forth above. The permit administrator may request an interior and/or exterior site visit in order to verify the facts stated in the application and/or may request additional written or photographic documentation from the owner to support the application for increased overnight occupancy. The owner shall be present during any site visit. The permit administrator may allow the increased overnight occupancy if he or she determines that it will not cause undue negative effects or otherwise be detrimental to the surrounding neighborhood. The permit administrator may impose reasonable time limits and conditions of approval for the increased overnight occupancy. The permit administrator's determination on an application for increased overnight occupancy shall be final. No hearing shall be required or conducted. The permit administrator shall be afforded broad discretion with respect to applications for increased overnight occupancy.**
- F. During the hours of 10:00 p.m. through 8:00 a.m. of the following day, the short-term vacation rental shall not exceed the overnight maximum occupancy limit, **except as allowed by the permit administrator pursuant to subsection (E) above.**
- G. Parking. One (1) vehicle per bedroom shall be permitted for the rented premises with a total maximum of four (4) vehicles on any rented premises. All vehicles of occupants of the short-term residential rental shall be parked only in an approved driveway or garage on the Premises. For purposes of this chapter, a "vehicle" shall include passenger cars, trucks, towing trailers, boats and off-road vehicles. Notwithstanding the above, the permit administrator may allow for additional parking on the rented premises**

beyond these limits as part of an application for increased overnight occupancy under subsection (E) above.

GH. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days. The owner of the short-term vacation rental shall provide sufficient trash collection containers and service to meet the demand of the occupants. **No trash container shall be placed in or adjacent to a street or public right-of-way for collection service more than twenty-four (24) hours prior to the normal collection time. Containers shall be removed from, within or adjacent to the street or right-of-way within twenty-four (24) hours after collection.**

HI. Prior to the occupancy of a **A** short-term vacation rental **may be rented pursuant to either an oral or written agreement between** the owner **and the responsible party** shall enter into a written rental agreement with the primary occupant.

1. Each written rental agreement for a short-term vacation rental shall include the following terms, notifications and disclosures, which shall also be posted in a conspicuous location inside the unit:
 - a. The name, age, address of the ~~primary occupant~~ **responsible party** along with a copy of the ~~primary occupant's~~ **responsible party's** government issued identification;
 - b. The maximum number of overnight occupants that are permitted pursuant to the overnight maximum occupancy limit set forth in the permit.
 - c. A list containing the names of all guests that will occupy the short term vacation rental provided to the owner by the ~~primary occupant~~ **responsible party**, including a list of their vehicles by make and model and license plate numbers.
 - d. An acknowledgment and agreement of the ~~primary occupant~~ **responsible party** that he or she is legally responsible for compliance of all occupants of the short-term vacation rental and their guests with all provisions of this chapter and/or the Coachella Municipal Code.
 - e. Notification, acknowledgement and agreement of the ~~primary occupant~~ **responsible party** that failure to comply with the maximum **overnight** occupancy limit and/or **operational requirements in** the provisions of Section 5.80.100 and the subsequent refusal to comply with the instructions of the owner, **agent** and/or local contact person in order to remedy such violations, shall subject the ~~primary occupant~~ **responsible party** and his/her guests and/or other occupants to an immediate order to

vacate the short-term vacation rental by the owner or local contact person in accordance with the provisions contained within the rental agreement.

- f. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property.
- g. Notification that the **responsible party and/or** occupant(s) may be cited or fined by the city and/or immediately evicted by the owner **or agent** pursuant to state law, in addition to any other remedies available at law, for creating a disturbance or for violating any provisions of this chapter.
- h. Notification that failure to conform to the **overnight** occupancy requirements of the short-term vacation rental is a violation of this chapter.
- i. Notification that amplified sound, including radios, televisions and other electronic devices are subject to the city's noise ordinance as set forth in Coachella Municipal Code Chapter 7.04.
- j. A **notification about the** prohibition on illegal loud parties, along with notification of the city's right to recover the costs of special enforcement needed to address certain loud parties under the circumstances described in Coachella Municipal Code Sections 7.05.010 through 7.05.060.
- k. A **notification about the** requirement that the occupant(s) participate in neighborhood quiet hours by avoiding parties and loud social events between the hours of 10:00 p.m. and 8:00 a.m. **unless otherwise allowed by the permit administrator under subsection .100(E) of this chapter.**
- l. The name of the ~~managing agency~~ **owner**, agent, ~~rental manager,~~ **or** local contact person, ~~or owner~~ of the short-term vacation rental, and a telephone number at which **each** ~~that party~~ may be reached at all times.
- m. A copy of the "good neighbor guidelines" which may from time to time be prepared **and amended** by the permit administrator. These guidelines may include location - specific information, such as local speed limits.
- n. Notification that the property is part of the city of Coachella's short-term vacation rental program.

- o. A copy of this chapter of the Coachella Municipal Code, as it may be amended from time to time.
2. The **written** rental agreement and documentation of compliance with this ~~subparagraph~~ **subsection (HI)** shall be maintained by the owner and/or agent for a period of three years and be made readily available upon request of the permit administrator or any police officer or employee of the city authorized to enforce this chapter or state law.
- ~~II.~~ During the rental term of each short-term vacation rental, the **owner, agent or** local contact person shall be available by phone and in-person twenty-four (24) hours per day, seven days per week for the purpose of: (i) responding **to the city and to the responsible party** by telephone within fifteen (15) minutes of complaints regarding the occupancy, condition, operation or use of the short term vacation rental; (ii) responding in-person within forty-five (45) minutes to any additional or successive complaints regarding the occupancy, condition, operation or use short-term vacation rental; and (iii) taking action to resolve any complaint and/or correct any violation as set forth in ~~subparagraph~~ **subsection (JK)** of this Section 5.80.100.
- ~~JK.~~ Upon receipt of a nuisance complaint or such other complaint or upon notification that any occupant and/or guest of the short-term vacation rental has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of this chapter, the Coachella Municipal Code or any state law, the owner, **agent** or the local contact person shall promptly respond to such complaint and take corrective action to remedy the complaint and prevent a recurrence of such conduct by those occupants or guests. For purposes of this paragraph, "promptly respond" shall mean a **response by telephone to the responsible party within fifteen (15) minutes of the complaint whereby the responsible party is advised of the nature of the complaint and a correction of any violation is made and a** physical presence at the premises of the short-term vacation rental **within forty-five (45) minutes to any unresolved, additional or successive complaints regarding the occupancy, condition, operation or use short-term vacation rental whereby** ~~in which the primary occupant~~ **responsible party** or other occupant~~ey~~ is advised of the nature of the complaint and a correction of any violation is made, ~~or if contact with the primary occupant or other occupancy is not required, the subject of the complaint is resolved, including the correction of any violation.~~ If the nature of the violation involves an action that would take more than an hour, "promptly respond" shall mean notifying the permit administrator of the nature of the complaint and thereafter diligently pursuing to completion the correction of the violation. Failure of the owner, **agent** or the local contact person to promptly respond and/or to take timely corrective action regarding the occupancy, condition, operation, or use of the short-term vacation rental shall be a violation of this chapter and shall be grounds for the imposition of penalties as set forth in this chapter and/or revocation **or suspension** of the permit. An owner, **agent** or local contact person is not required or authorized to act as a peace officer or to intervene in situations

that pose a risk to personal safety. The owner, agent or the local contact person shall keep and maintain a written log or other record of the nature of the complaint or violation and the date, and time of each complaint, disturbance, response and the corrective action taken. Such written log or record shall be readily available upon request of the city, including the permit administrator, and any police officer or employee of the city authorized to enforce this chapter or state law and shall be retained for a minimum of three years.

- ~~KL~~. The owner, **agent** and/or local contact person shall order the ~~primary occupant~~ **responsible party** and his/her guests and/or other occupants to immediately vacate the short-term vacation rental ~~in accordance with provisions contained within the rental agreement~~ if the ~~primary occupant~~ **responsible party** and/or guests or other occupants fail to comply with the maximum **overnight** occupancy limit and/or violate the provisions of this ~~Section 5.80.100~~ **chapter** and subsequently refuse to comply with the instructions of the owner, **agent** and/or local contact person in order to remedy or correct the violation.
- ~~LM~~. The owner shall keep written records documenting compliance with all elements of the performance standards and the approved nuisance response plan. Such records shall be retained for a minimum of three years and shall be available during regular business hours upon request of the city, including the permit administrator, and any police officer or employee of the city authorized to enforce this chapter or state law.
- ~~MN~~. The short-term vacation rental use shall not involve the use of commercial vehicles for the delivery of materials to and from the premises beyond those commercial vehicles normally associated with residential uses nor storage of delivered materials beyond those items which would normally be associated with a residential use of property.
- ~~NO~~. The operational requirements and performance standards may be modified by the permit administrator upon request of the owner **or agent** based upon site specific circumstances for the purpose of allowing reasonable accommodation of a short-term vacation rental occupant as may be required by state or federal disability laws. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to ~~a property~~ **an occupant** such that, if the requirement is not modified, reasonable use of the property for a short-term vacation rental **by an occupant** would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.
- ~~O~~. ~~The owner and/or the owner's authorized agent or representative shall comply with all provisions of Section 4.28.030 et. seq. of the Municipal Code concerning transient occupancy taxes, including, but not limited to, submission of a return in accordance with Section 5.80.070 of the Municipal Code, which shall be filed even if the vacation rental unit was not rented during each such reporting period.~~

- P. The permit administrator shall have the authority to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential secondary effects unique to the subject vacation rental unit are avoided or adequately mitigated.
- Q. No radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or other any machine or device for the producing or reproducing of any sound may be operated on the vacation-rental property unless it is in compliance with the City's Noise Ordinance.**
- R. The owner shall, at the owner's expense, procure and maintain, for the duration of any permit, comprehensive general liability insurance with a limit of no less than \$1,000,000 per occurrence to insure against claims for injuries to persons or damages to property which may arise from or in connection with rental or operation of a short term vacation rental. Such insurance shall be at least as broad as the latest version of Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).**
- S. No accessory dwelling unit (ADU) may be rented as a short-term vacation rental in the city.**

5.80.105 Payment of Transient Occupancy Taxes

- A. The owner and/or the agent is responsible for collecting and remitting transient occupancy tax to the city and shall comply with all provisions of Section 4.28.030 et. seq. of the Municipal Code concerning transient occupancy taxes, including, but not limited to, submission of a return in accordance with Chapter 4.28, which shall be filed even if the vacation rental unit was not rented during each such reporting period.**
- B. Beginning April 1, 2025, hosting platforms shall be responsible for collecting all applicable transient occupancy taxes and remitting the same to the city. The hosting platform shall be considered an agent of the owner/host for purposes of transient occupancy tax collections and remittance pursuant to Chapter 4.28.**
- C. Owners and/or agents shall be responsible for submitting transient occupancy tax forms reporting nightly stays and gross receipts even if a hosting platform is remitting the taxes due on their behalf.**
- D. Permittees making two or more late submittals in a 12-month period shall not have their permit renewed upon expiration.**
- E. Owners shall provide all transient occupancy tax-related documents to the city within five (5) business days of the city's written request, as more particularly set forth in Section 5.80.150. If any documents are not in the possession of an owner but are in the possession of an agent, the owner shall promptly request said documents from the agent within three (3) business**

days of the city's written request and the documents shall be provided to the city within five (5) business days thereafter.

F. Timely payment of applicable transient occupancy taxes for a short-term vacation rental shall not excuse an owner's noncompliance with any other provisions of this chapter and the city may impose fines or take other action as set forth in this chapter to address said noncompliance.

5.80.110. Terminating the use of a property as a short-term rental.

Where the owner of property used and occupied as a short-term vacation rental pursuant to a permit approved and issued in the manner provided for by this chapter determines to terminate such use and restore the property either to an owner-occupied residence or a long-term rental, the property owner shall promptly cause a notice of such determination/**termination** to be filed with the permit administrator. **Once such notice is received by the city, the property shall not again be leased, offered for lease or otherwise occupied as a short-term vacation rental until a new permit is obtained by the owner.**

5.80.120 Violations.

- A. It is unlawful and a violation of this chapter for any person or entity owning, renting, leasing, occupying or having charge, control or possession of any real or improved property within the city of Coachella to cause, permit, maintain or allow any violation of this chapter to exist thereon. Any person who violates any provision of this chapter is guilty of a misdemeanor. Such violation is punishable as set forth in Section 1.08 of this code. Each and every day, or portion thereof, that a violation of this chapter exists constitutes a separate and distinct violation.
- B. Alternatively, this chapter may be enforced through the issuance of an administrative citation in accordance with Chapter ~~1.10~~ **1.08** of this code, except that the fine for each separate violation shall be as follows: (1) an administrative fine in an amount not to exceed ~~five hundred~~ **one thousand** dollars (\$~~500~~**1,000**.00) for the first citation; (2) an administrative fine an amount not to exceed ~~seven hundred and fifty~~ **two thousand** dollars (\$~~750~~**2,000**.00) for a second citation issued for the same offense within a twelve-month period of the date of the first offense; and (3) an administrative fine in an amount not to exceed ~~one~~ **three** thousand dollars (\$~~1~~**3,000**.00) for a third and any subsequent citation issued for the same offense within a twelve-month period of the date of the first offense. Each and every day such a violation exists shall constitute a separate and distinct violation of this chapter.
- C. Notwithstanding ~~paragraph (b)~~ **Subsection (B)** of this Section 5.80.120, operating a short term vacation rental without a valid permit shall be subject to an administrative fine in the **following** amounts: ~~not to exceed one thousand dollars (\$1,000.00) for each citation.~~ **(1) an administrative fine in an amount not to exceed one thousand five hundred dollars (\$1,500.00) for the first citation; (2) an administrative fine in an amount not to exceed three thousand dollars (\$3,000.00) for a second citation issued for the same offense within a twelve-**

month period of the date of the first offense; and (3) an administrative fine in an amount not to exceed five thousand dollars (\$5,000.00) for a third and any subsequent citation issued for the same offense within a twelve-month period of the date of the first offense. Each and every day such a violation exists shall constitute a separate and distinct violation of this chapter.

- D. In addition to the foregoing, a violation of any provision of this chapter shall constitute a public nuisance and shall be subject to abatement by the city by means of a civil action or administrative abatement pursuant to Chapter 3.10 of this code, and each day such condition continues it shall be regarded as a new and separate offense.
- E. These remedies provided for in this section are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this chapter.

5.80.130 Permit suspension, modification or revocation.

- A. In addition to any other remedy provided by this chapter, a permit issued pursuant to this chapter may be suspended, modified or revoked for any violations of this chapter, for violation of any other law on the premises of the short-term vacation rental, or for the maintenance of such other conditions as may be shown to be injurious to the public health and safety or if the applicant made any false, misleading or fraudulent statement of a material fact in the application for permit, or any report or record required to be filed pursuant to this chapter.
- B. Prior to suspension, modification or revocation of a permit, a hearing shall be held thereon by the ~~city manager~~ permit administrator or a hearing officer designated by the ~~city manager~~ permit administrator or his designee. The permittee shall be notified in writing of the grounds for suspension, modification or revocation of the permit at least ten (10) days prior to the scheduled hearing. The decision of the permit administrator or hearing officer shall be rendered within five (5) days of the hearing. The decision shall be in writing, and shall set forth the findings and reasons for the decision. The decision of the permit administrator or hearing officer is final.

5.80.140 ~~Specific violations.~~ Hosting Platforms.

~~Any of the following acts or omissions arising out of the operation and use of a short term vacation rental is unlawful and constitutes a misdemeanor punishable as set forth in Section 1.08 of this code:~~

- ~~A. Rental, offering for rental, or advertising for rental of a dwelling unit located on any property within the city by the owner of the property as a short term vacation rental without a permit authorizing such use that has been approved and issued in the manner required by this chapter.~~

- ~~B. Failure of the owner of a short-term vacation rental issued a permit in the manner required by this chapter or the owner's designated agent to respond to a nuisance complaint arising out of the occupancy and use of the short-term rental by a tenant, or the tenant's visitors or guests in the manner and within the time required by a nuisance response plan approved by the permit administrator incident to the issuance of such permit.~~
- ~~C. Failure of the owner of a short-term vacation rental issued a permit in the manner required by this chapter to keep a response plan required by the chapter on file with the permit administrator containing the name of the current person or persons responsible for responding to a nuisance complaint within the time required by this chapter.~~
- ~~D. Offering to rent or advertising for rent a short-term vacation rental without including in the offer or advertisement the city permit number applicable to the property in the form "Coachella Permit No. _____" with the permit number printed in the same size type as the largest type used in the offer or advertisement.~~
- ~~E. Failure to comply with or cause compliance with any performance standard listed in Section 5.80.100.~~

- A. Subject to applicable laws, hosting platforms shall, upon written request by the city, promptly disclose to the city each short-term vacation rental located in the city that they list, the host ID, listing ID, and names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay.**
- B. A hosting platform shall promptly remove any listing upon receipt of a take-down notice from the city indicating that a listing violates applicable legal requirements.**
- C. A hosting platform is responsible for collecting and remitting transient occupancy taxes on behalf of their hosts in accordance with this Code, either directly to the City or through the owner/agent.**
- D. A hosting platform shall require all hosts to include a valid permit number in a designated field dedicated to the license number.**

5.80.150 Records and Inspection.

Each owner **or agent** shall provide access to each short-term vacation rental and any records related to the use and occupancy of the short-term vacation rental to the city manager or his designee at any time during normal business hours, for the purpose of inspection or audit to determine that the objective and conditions of this chapter are being fulfilled.

5.80.160 Requirements not exclusive.

The requirements of this chapter shall be in addition to any license, permit or fee required under any other provision of the Coachella Municipal Code. The issuance of any permit pursuant to this chapter shall not relieve any person of the obligation to comply with all other provisions of the Coachella Municipal Code pertaining to the use and occupancy of the short-term vacation rental or the property on which it is located.”

SECTION 2. SEVERABILITY. If any section, subsection, subdivision, sentence, or clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from its adoption.

SECTION 4. PUBLICATION. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the City of Coachella, pursuant to all legal requirements.

I hereby certify that the foregoing Ordinance was **PASSED, APPROVED AND ADOPTED** by the City Council of the City of Coachella on the 26th day of February, 2025.

Dated: _____

STEVEN HERNANDEZ
MAYOR

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

RYAN GUIBOA
CITY ATTORNEY