

CITY OF WILLIAMS CITY COUNCIL

**REGULAR MEETING
FEBRUARY 24, 2022
7:00 P.M.**

**CITY COUNCIL CHAMBERS
113 S. FIRST STREET
WILLIAMS, ARIZONA**

AGENDA

**PLEASE HELP THE CITY IN FOLLOWING THE CDC'S GUIDELINES BY LIMITING
YOUR EXPOSURE.**

PURSUANT TO A.R.S. #38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE CITY COUNCIL AND THE GENERAL PUBLIC THAT THE CITY COUNCIL WILL HOLD A MEETING OPEN TO THE PUBLIC **THURSDAY, FEBRUARY 24, 2022, AT 7:00 P.M.** IN THE CITY COUNCIL CHAMBERS, 113 S. FIRST STREET, WILLIAMS, ARIZONA. THE COUNCIL MAY, BY MOTION, RECESS INTO EXECUTIVE SESSION FOR (A) LEGAL ADVICE IN ACCORDANCE WITH A.R.S. §38-431.03(A)(3), OR (B) DISCUSSION OR CONSIDERATION OF RECORDS EXEMPT BY LAW FROM PUBLIC INSPECTION IN ACCORDANCE WITH A.R.S. §38-431.03(A)(2), TO DISCUSS AND CONSIDER ANY ITEM CONTAINED IN THIS AGENDA. THE COUNCIL WILL DISCUSS AND MAY TAKE ACTION ON THE FOLLOWING MATTERS:

I. PROCEDURES

- A. Call to Order
- B. Pledge of Allegiance and Invocation
- C. Roll Call
 - _____ Mayor Moore
 - _____ Vice-Mayor Dent
 - _____ Councilmember Fritsinger
 - _____ Councilmember McNelly
 - _____ Councilmember Cowen
 - _____ Councilmember Hiemenz
 - _____ Councilmember Payne
- D. Approval of Minutes for February 10, 2022
- E. Adopt Agenda

II. PRESENTATIONS –

III. PUBLIC PARTICIPATION

The Council cannot act upon items presented during the public participation portion of the agenda. Individual Council members may ask questions of the public or may respond to any criticisms. Still, the open meeting law prohibits the members from discussing or considering the items among themselves until the matter is officially placed on the agenda. However, the open meeting law allows the City Council to ask staff to review a case or place it on a future Council agenda. A person has a five-minute time period to speak. If a person has a written presentation that requires more than five minutes to present verbally, they should indicate the estimated time required on the sign-up sheet. The presiding officer may grant additional time if the agenda for the meeting is not too full. A registered spokesperson for a recognized community organization shall be afforded ten minutes provided other members of the same organization agree beforehand to withhold their comments on the same subject.

Certification of Posting

The undersigned hereby certifies that a copy of this notice was duly posted at Williams City Hall interior board and exterior board in accordance with the statement filed by the City Council with the City Clerk.

Date: _____ Time: Before 5p.m. By: _____
City Clerk Pamela Galvan

CITY OF WILLIAMS CITY COUNCIL

**REGULAR MEETING
FEBRUARY 24, 2022
7:00 P.M.**

**CITY COUNCIL CHAMBERS
113 S. FIRST STREET
WILLIAMS, ARIZONA**

AGENDA

IV. CONSENT AGENDA ITEMS –

A. Approval of Purchase Order

V. NON-CONSENT AGENDA ITEMS

B. Council may adopt Resolution No 1416, the city's Call of Election.

C. Council may adopt Resolution No 1417, revising Article 3-1 of the city code relating to permanent business licenses and the addition of liquor license fees.

Tabled from 1.27.2022 meeting

D. Consideration and action with the third and final reading of Ordinance No. 989 regarding establishing short-term rental regulation and fees within the city limits.

VI. REPORTS, CURRENT EVENTS, AND INFORMATION ITEMS

Mayor and Council

Staff

VII. ADJOURN

CITY OF WILLIAMS CITY COUNCIL

ANNOTATED MINUTES
AGENDA ITEM

PAGE 1

FEBRUARY 10, 2022
COUNCIL ACTION

I. PROCEDURES

A. Call to Order 7:00 PM

Mayor Moore called the meeting to order.

B. Pledge of Allegiance and Invocation

The pledge of allegiance was recited, and Kelly-Lynn Moede provided the invocation.

C. Roll Call

Present: Mayor Moore, Councilmember Craig Fritsinger, Councilmember Bernie Hiemenz, Councilmember Frank McNelly, and Councilmember Lee Payne

Absent: Vice-Mayor Don Dent and Councilmember Mike Cowen

Present from City Staff, City Manager Tim Pettit, Lt. John Romero, and Deputy City Clerk/HR Administrator Susan Bennett.

D. Approval of Minutes for January 27, 2022.

Motion: *To approve the Minutes for January 27, 2022.*

Action: *Approved with changes presented by Councilmember Fritsinger and Councilmember McNelly*

Moved by Councilmember Fritsinger, Seconded by Councilmember McNelly
Motion passed unanimously.

E. Adopt Agenda - Mayor Moore requested we amend the agenda by removing the recess to "Board of Adjustments," Mr. Predmore's variance has been withdrawn.

Motion: *To approve the agenda with the removal of the "Board of Adjustments"*

Action: *Adopted*

Moved by Councilmember Payne, Seconded by Councilmember Hiemenz
Motion passed unanimously.

II. PRESENTATIONS –None

III. PUBLIC PARTICIPATION – None

IV. CONSENT AGENDA ITEMS –

CITY OF WILLIAMS CITY COUNCIL

ANNOTATED MINUTES
AGENDA ITEM

PAGE 2

FEBRUARY 10, 2022
COUNCIL ACTION

Approval of check register for the month ending January 31, 2022.

Councilmember McNelly inquired about checks #104199 Woodson Engineering and check #104318, Sanderson Ford. The City Manager informed the Council that the one for Sanderson was for the purchase of (2) two ford F150. Woodson Engineering was for the final payment of Homestead Road Water projects.

Motion: To approve the consent agenda items.

Action: Approved

Moved by Councilmember McNelly, ***Seconded by*** Councilmember Hiemenz.

Motion passed unanimously

V. NON-CONSENT AGENDA ITEMS

B. Council will hear its third and final reading of Ordinance No 987 regarding the establishment of exterior lighting regulations.

Councilmember McNelly asked a few questions regarding grandfathered lights currently in place and if the new regulations for lighting are more expensive. The City Manager stated that they are mostly LED lighting which is not expensive. The City grandfathered lighting is based on the Coconino Dark Sky ordinance and is being monitored by the City. This also covers the regulations of "light pollution" with observatories and neighbors in zoning 3.

Motion: To have a third and final reading of Ordinance No 987 by number and title only.

Moved by Councilmember Fritsinger, ***Seconded by*** Councilmember McNelly

The Deputy City Clerk provided the third and final reading of Ordinance No 987 by number and title only.

Roll Call Vote: Councilmember Fritsinger – Yes

Councilmember Hiemenz – Yes

Councilmember Payne – Yes

Councilmember McNelly – Yes

Motion passed unanimously

If the Mayor was voting, his vote would be yes.

CITY OF WILLIAMS CITY COUNCIL

ANNOTATED MINUTES
AGENDA ITEM

PAGE 3

FEBRUARY 10, 2022
COUNCIL ACTION

C. Council will hear its third and final reading of Ordinance No. 988 regarding the repealing of Ordinance No. 863 and adopting the current state of Arizona floodplain management model ordinance.

Motion: *To have a third and final reading of Ordinance No. 988 by number and title only.*

*Roll Call Vote: Councilmember McNelly – Yes
Councilmember Hiemenz – Yes
Councilmember Fritsinger – Yes
Councilmember Payne – Yes*

Motion passed unanimously
If the Mayor was voting, his vote would be yes.

D. Council will consider or take action regarding the airport master plan final summary from consultants Coffman and Associates.

Mark Quick from Coffman and Associates briefed the Council and the public on the preparation of our Airport Master Plan and thanked the Council for their cooperation and assistance. This is a 20-year plan based on future requirements and projections. This plan will of course also be reviewed every 5 years based on needs and development. As part of this master plan, the Federal Aviation Administration (FAA) requires the development of several projects and technical drawings detailing specific parts of the airport and its environments. These drawings were created on a computer-aided drafting system (CAD) and serve as the official depiction of the current and planned condition of the airport. These drawings will be delivered to the FAA for their review and inspection. The FAA will critique the drawings from a technical perspective to be sure all applicable federal regulations are met. The FAA will use the CAD drawings as the basis and justification for funding decisions and any further Grant requests.

Further discussion regarding the Grant process for the future and the City's portion. Discussed the possibility of projects coming up and the ability to make changes as necessary in the master plan. Master Plan to be reviewed every 7-10 years normally.

Motion: *To approve the Airport Master Plan final summary from Coffman and Associates.*

Moved by Councilmember McNelly, Seconded by Councilmember Payne
Motion passed unanimously

CITY OF WILLIAMS CITY COUNCIL

ANNOTATED MINUTES
AGENDA ITEM

PAGE 4

FEBRUARY 10, 2022
COUNCIL ACTION

If the Mayor was voting, his vote would be Yes

VI. REPORTS, CURRENT EVENTS, AND INFORMATION ITEMS

Mayor and Council – Councilmember McNelly wanted to thank the staff for the work performed at Homestead Road, well done, looks great.

Staff - None

VII. ADJOURN – 7:27 PM

Mayor John W. Moore

ATTEST:

Deputy City Clerk Susan Bennett

CERTIFICATION

State of Arizona,)

)

ss.

Coconino County,)

I, SUSAN BENNETT, do hereby certify that I am the Deputy City Clerk of the City of Williams, County of Coconino, State of Arizona and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Williams held on February 10, 2022. I further certify that the Meeting was duly called and held and that a quorum was present.

Dated this 11th day of February 2022.

Deputy City Clerk Susan Bennett

Purchase Order

P. O. Number: 384

City of Williams
113 S First St
Williams AZ 86046

PHONE: 928-635-4451
FAX: 928-635-4495



To: 12743

VELOCITY FIRE EQUIPMENT SALES
9899 W ROOSEVELT ST
TOLLESON AZ 85353

Ship to:

CITY OF WILLIAMS
113 S FIRST ST
WILLIAMS AZ 86046

P. O. Date	Created By	Requested By	Department	Approved By	Req Number
02/17/2022	kayhill		940 - FIRE		0

Quantity	Description	Activity No.	Unit Price	Total
1.00	FIRE DEPARTMENT UNIFORM	01-940-4510.000	11,282.43	11,282.43
SHIPPING / HANDLING				
SALES TAX				989.33
TOTAL PO AMOUNT				12,271.76
Notes:				

Authorized Signature



Freightliner of Arizona - Tolleson
A Division of Velocity Vehicle Group
9899 W. Roosevelt St.
Tolleson, AZ 85353
(800) 497-2211

Please Remit Payment to:
Freightliner of Arizona,
LLC
Dept# 880097 PO Box
29650
Phoenix, AZ 85038-9650

ESTIMATE: EA310196084
Date Shipped: 1/11/2022
Date Invoice:
Terms: 30
PO No: **QUOTE**
Ship Via: (Select Method)
Salesperson: ERNIE P. (80260)
Unit Id:
VIN:

BILL TO
CITY OF WILLIAMS - 150620
113 SOUTH 1ST STREET
WILLIAMS, AZ 86046
P: (928) 635-4451

DELIVER TO
WILLIAMS FIRE DEPARTMENT - 150620
113 SOUTH 1ST STREET
WILLIAMS AZ 86046
P: (928) 635-4451

QTY SHP	QTY B/O	ITEM	DESCRIPTION	BIN	UNIT PRICE	EXTD PRICE
3		310R/VDR CVEL 818 D29 43 GBT	VELOCITY COAT, PBI MAX GOLD	NOLOC	1,693.75	5,081.25
4		310R/VDR TVEL 818 D29 43 GBT	VELOCITY PANT, PBI MAX GOLD	NOLOC	1,340.63	5,362.52
1		310R/BKD 0912 X2 10	X2 LEATHER BOOT	HEMWAL	300.00	300.00
1		310R/BKD 0912 X2 7	X2 LEATHER BOOT	HEMWAL	300.00	300.00
1		310R/VDR GFA-GA-1212 70N	FIRE ARMOR GLOVE	FCAB4	99.33	99.33
1		310R/VDR GFA-GA-1212 76N	FIRE ARMOR GLOVE	FCAB4	99.33	99.33
1		IBFRT	INBOUND FREIGHT		40.00	40.00

Disclaimers of Warranties

Any warranties on the product sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connections with the sale of said merchandise.

SUB-TOTAL \$ 11,282.43
TAX \$ 989.33
SHIPPING \$ 0.00
TOTAL \$ 12,271.76



Return Policy

No returns without invoice. No return on electrical parts. No return on special orders. 20% restocking charge on returns. No returns after 30 days including cores. Core credited after inspection. Cash refunds in excess of \$500 will be refunded by check, all other payments will be refunded in the tender which was submitted.

SIGNATURE X _____

Paid by: NET 30

Origin:

1/11/22 7:36 am

Page 1 of 1

GL Acct #
01-940-4510.000
Dept Head Signature
<i>OB</i>
Signature Date
2-17-22

Purchase Order

P. O. Number: 385

City of Williams
113 S First St
Williams AZ 86046

PHONE: 928-635-4451
FAX: 928-635-4495



To: 11540

TWIN PEAKS GLASS LLC
1802 WEST KAIBAB LANE SUITE 210
FLAGSTAFF AZ 86001

Ship to:

CITY OF WILLIAMS
113 S FIRST ST
WILLIAMS AZ 86046

P. O. Date	Created By	Requested By	Department	Approved By	Req Number
02/18/2022	kayhill		990 - SENIOR CENT		0

Quantity	Description	Activity No.	Unit Price	Total
1.00	WINDOW AND DOOR REPLACEMENT 01-990-7030.000	0	23,258.54	23,258.54
SHIPPING / HANDLING				
SALES TAX				
TOTAL PO AMOUNT				23,258.54

Notes:

Authorized Signature



Twin Peaks Glass, LLC.

1802 West Kaibab Lane, Suite# 210

Flagstaff, AZ 86001

Office: (928) 890-8489

www.twinpeaksglass.com

Serving all of Northern Arizona

ROC 291428

Proposal #02162022

Date:02/16/2022

ATTN: Ron

Company Name: City of Williams

TPG Work order/ : 456

Customer PO/ Job #: Senior Center

Job Name/Location: 850 W Grant Ave, Williams AZ 86046

Description of Work:

Remove and replace 14 windows/ replace and install once siting by others is removed, drywall will need to be cutback in most locations.

Provide and install one new storefront door and frame, opening will need to be cut to size by others.

4 @ 48" x 48" (slider)

2 @ 94" x 71"

1 @ 48" x 94"

4 @ 48" x 24" (pict)

2 @ 24" x 70 (picture)

1 @ 48" x 24" (slider)

Store front door 1 @ 86" x 40"

TOTAL LABOR, MATERIALS AND TAX:\$23,258.54

This quote is valid for 30 days

Total: \$23,258.54

Signature required to proceed with proposal. Please be advised we require half down to order materials and the balance due upon completion of work.

Exclusions: Protection and final cleaning. Please review all information above. We will only be responsible for the products and services listed above.

To accept proposal, please sign and date below:

x

Signature – Print Name

Date

GL Acct #
01-990-7030.000
Dept Head Signature
BB
Signature Date
2-18-22

RESOLUTION No. 1416

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF WILLIAMS, COUNTY OF COCONINO, ARIZONA, DESIGNATING THE ELECTION DATE FOR THE 2022 ELECTION(S), PURPOSE OF ELECTION(S), THE DEADLINE FOR VOTER REGISTRATION, THE PLACE AND LAST DATE FOR CANDIDATES TO FILE NOMINATION PAPERS.

BE IT RESOLVED by the Mayor and Council of the City of Williams as follows:

Section 1 Designation of Election Dates, Purposes

That August 2, 2022, has been set as the time for holding the Primary Election in the City of Williams, Arizona, for the following purposes:

1. Nominating candidates for Mayor and three (3) City Council Seats, whose names shall appear on the ballot at the General Election to be held on November 8, 2022. Any candidate receiving a majority of all the votes cast at the Primary Election will be declared elected without running at the General Election; and
2. Adopting a proposal for a local alternative expenditure limitation – home rule option will be considered.

2024-2025	\$14,326,575	2026-2027	\$14,259,932
2025-2026	\$14,058,614	2027-2028	\$14,416,936

Section 2 Designating Deadline for Voter Registration

Coconino County registration and voting lists will be used for the municipal election. To be qualified to vote, one must be registered by July 5, 2022 (29 days before the primary election).

Section 3 Designating Date and Place to File Candidate Nomination Forms

Candidates seeking municipal office may obtain nomination papers and other materials that the candidate must complete and may begin filing at City Hall, starting March 5, 2022. Candidates must return their completed nomination petitions along with all other nomination forms by 5:00 p.m. on April 4, 2022, at City Hall for their names to appear on the Primary Election ballot.

PASSED, APPROVED, AND ADOPTED, by the Mayor and Council of the City of Williams, Arizona, on this twenty-fourth day of February 2022, by a vote of ____ in favor and ____ opposed.

ATTEST:

Mayor John W. Moore

City Clerk

RESOLUTION NO. 1417

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLIAMS, ARIZONA REVISING ARTICLE 3-1 OF THE CITY CODE RELATING TO PERMANENT BUSINESS LICENSES AND THE ADDITION OF LIQUOR LICENSES FEES.

WHEREAS, all persons regularly engaged in any pursuit, business, trade, occupation, or employment within the City limits and who do not qualify for a sidewalk or peddler's license under Article 3-1.09.

WHEREAS, Article 3-1.02 of the City Code of the City of Williams requires a Business License Tax to be changed to the title of Business License Fee.

WHEREAS, Article 3-1.02 of the City Code of the City of Williams requires a Business License Fee to be changed from twenty-five (\$25.00) to the amount of one-hundred (\$100.00) to be adopted by the City Council by resolution.

WHEREAS, Article 3-1.02 of the City Code of the City of Williams requires an Annual Business License Renewal Fee of fifty (\$50.00) to be adopted by the City Council by resolution.

WHEREAS, Article 3-1.02 of the City Code of the City of Williams requires a Liquor License Fee of one-hundred-fifty (\$150.00) to be adopted by the City Council by resolution.

WHEREAS, Article 3-1.02 of the City of Williams City Code requiring a Modification (any/all, and temporary) Liquor License Fee of seventy-five (\$75.00) to be adopted by the City Council by resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the City of Williams Arizona as follows:

That the Mayor and City Council of the City of Williams hereby adopts the following schedule of Permanent Business License Fee, Annual Business License Fee, Liquor License Fee and Modifications (any/all, and temporary) Liquor License Fee:

PERMANENT BUSINESS LICENSE FEE:

Initial Fee: \$100.00

Annual Renewal Fee: \$50.00

PERMANENT LIQUOR LICENSE FEE:

Initial Fee: \$150.00

Modifications (any/all, and/or temporary) Fee: \$75.00

WHEREAS, future fees may be adjusted annually upon review and approval by the City of Williams City Council.

PASSED, APPROVED, AND ADOPTED THIS ____ **day of February 2022** by a vote of ____
() in favor and ____ () opposed.

City of Williams, an
Arizona Municipal Corporation

John W. Moore, Mayor

ATTEST:

Pamela Galvan, City Clerk

APPROVED AS TO FORM:

Mangum, Wall, Stoops, and Warden
Brandon Kavanagh, City Attorney

Staff Report

To: City Council

From: Tim Pettit

Date: January 13, 2022

Subject: Short-Term / Vacation Rental



Background: The City of Williams does not have any procedures, rules, regulations, or associated fees for Vacation Rentals. This Proposed Ordinance clearly establishes and defines the process an individual or business must follow to operate a Vacation Rental within the City of Williams.

Recommendation: To approve Short-Term, Vacation, Rentals Ord#989

ORDINANCE NO. 989

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WILLIAMS
ARIZONA, ESTABLISHING REGULATIONS AND FEES ASSOCIATED WITH
SHORT-TERM VACATION RENTALS, ADDING CHAPTER 117 TO THE CITY CODE
TITLE XI, BUSINESS REGULATIONS**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLIAMS:

WHEREAS, The City of Williams has determined the need for regulations regarding property use for Short-term Vacation Rentals concerning residential property within the City Limits.

WHEREAS, the City of Williams will require all Short-Term Vacation Rentals to register with the City, have a valid Business License and a valid TPT number.

WHEREAS, the City of Williams will require all Short-Term Vacation Rentals to have an initial and annual Fire Safety Inspection and follow all Fire codes and regulations.

WHEREAS, the City of Williams will establish fees to cover costs associated with processing and tracking registration and annual Fire/Safety inspections.

WHEREAS, the City of Williams retains the right to change fees annually after review and approval from City Council.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council that the Short-Term Vacation Rental section will fall within the existing City of Williams code, this will be defined with the addition to Title XI: Business Regulations, adding Chapter 117 to the City Code,

Chapter 117

PURPOSE

The purpose of this Section is to establish regulations for Short-Term Vacation Rental use of residential property, enabling the City to preserve the public health, safety, and welfare of the community. This section is not intended to further regulate hotels, motels, inns, time-share units, bed and breakfast, or non-Short-Term Vacation type rental arrangements.

PASSED, Approved and Adopted by the Mayor and Council of the City of Williams, Arizona this ____ day of _____, 2022 by a vote of ____ in favor and ____ opposed.

City of Williams, an
Arizona Municipal Corporation

John W. Moore, Mayor

ATTEST:

Pam Galvan, City Clerk

APPROVED AS TO FORM:

Mangum, Wall, Stoops and Warden, P.L.L.C.
City Attorney

Chapter 117: Short-Term, Vacation, Rentals

§ 117.01 Purpose

- 1) The purpose of this Section is to establish regulations for Short-Term Vacation Rental use of residential property, enabling the City to preserve the public health, safety and welfare of the community.
- 2) This section is not intended to further regulate hotels, motels, inns, time-share units, bed and breakfast, or non-Short-Term Vacation type rental arrangements.

§ 117.02 Definitions

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- 1) **APPLICANT.** The owner or, in the event the vacation rental is covered by an exclusive listing arrangement, the agent or representative of the owner.
- 2) **BEDROOM.** An area of a vacation rental normally occupied for sleeping and being heated or cooled by any equipment for human habitation, which is seventy (70) square feet and greater in size, with at least one (1) horizontal distance measuring at least seven (7) feet, having four (4) walls to the ceiling, at least one (1) of which is located along an exterior wall with an egress window, and containing a built-in closet.
- 3) **EXCLUSIVE LISTING ARRANGEMENT.** A written agreement between an owner and an agent or representative where the agent or representative has the sole and exclusive right to rent or lease a vacation rental unit to any person and the owner is prohibited from renting or leasing the vacation rental unit except through the owner's agent or representative.
- 4) **LOCAL CONTACT PERSON.** A local property manager, owner or owner's agent, who is available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by phone within thirty (30) minutes and in person within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation rental, or any owner's agent authorized by the owner to take remedial action and who responds to any violation of this code.
- 5) **OWNER.** The person(s) or entity(ies) that hold(s) legal or equitable title to a vacation rental.
- 6) **PROPERTY.** A residential legal lot of record on which a vacation rental is located.
- 7) **RENTAL TERM.** The period of time a responsible person rents or leases a vacation rental.

- 8) **RESPONSIBLE PERSON.** An occupant of a vacation rental who shall be legally responsible for compliance of all occupants of the unit and their guests with all provisions of this chapter and this code.
- 9) **SHORT-TERM VACATION RENTAL.** One (1) or more residential dwellings, including either a single-family detached or multiple-family attached unit, or any portion of such a dwelling, including associated yards, located in a single or multifamily residential zone pursuant to the City's Land Development Code and Zoning Map, advertised or offered for rent or occupancy, or in fact rented for occupancy, for dwelling, lodging, or sleeping purposes for a period of twenty-nine (29) consecutive days or less, other than ongoing month-to-month tenancy granted to the same renter for the same unit, occupancy on a time-share basis, or a condominium hotel.
- 10) **SHORT-TERM VACATION RENTAL REGISTRATION CERTIFICATE or REGISTRATION CERTIFICATE.** An annual registration submitted to the City pursuant to this chapter.
 - A. Registration Certificate and Advertisement Display Required:
 - 1) No owner of a short-term vacation rental shall rent a vacation rental for a period of twenty-nine (29) consecutive days or less without a valid registration certificate.
 - B. Agency:
 - 1) An owner may retain an agent or a representative to comply with the requirements of this chapter, including, without limitation, the filing of a complete vacation rental registration, the management of the vacation rental unit or units, and the compliance with the requirements of this chapter. Except as provided in subsection (B) of this section and notwithstanding any agency relationships between an owner and an agent or representative, the owner of the vacation rental unit or units shall remain responsible for compliance with the provisions of this chapter and the failure of an agent to comply with this chapter shall not relieve the owner of the owner's obligations under the provisions of this chapter.
 - 2) In the event an owner enters into an exclusive listing arrangement, the short-term vacation rental registration certificate may be secured, and the transient occupancy registration certificate requirements provided in this chapter may be performed, by the agent or representative and not by the owner.

§ 117.03 Short-term Vacation Rental Registration Requirements

- A) Prior to use of a property as a vacation rental, the applicant shall register the property as a vacation rental with the City annually on a registration form furnished by the

City and signed by the applicant under penalty of perjury. Each application shall contain the following information:

- 1) The address of the residential property proposed to be used as a short-term vacation rental.
- 2) The name, address, and telephone number of the owner of the unit for which the short-term vacation rental registration certificate is to be issued.
- 3) The name, address, and telephone number of the agent, if any, of the owner of the unit.
- 4) The name, address, and twenty-four (24) hour telephone number of the local contact person and verification that the local contact person can respond by telephone or in person to the site of the vacation rental within the timeframes provided in this chapter.
 - a. Evidence that the applicant has provided the name and twenty-four (24) hour telephone number of the local contact person to property owners in immediate proximity on all sides, as shown in the Coconino County Assessor's records.
 - b. The number of bedrooms in the vacation rental unit.
 - c. The applicable overnight occupancy limit of the unit consistent with the provisions of this chapter.
 - d. Valid business license issued by the City of Williams.
 - e. Evidence of a valid transaction privilege tax license by the City or the state of Arizona for the vacation rental unit.
- 5) A short-term vacation rental registration certificate may be denied if a registration certificate for the same unit and issued to the same owner was previously revoked pursuant to this chapter
- 6) A short-term vacation rental registration certificate may be denied for failing to provide required information or for failure to pay amounts owed to the City for penalties, interest, fees, charges, transaction privilege taxes, sewer connection fees, or any other amounts owed to the City for any other reason. Any applicant who has a current debt related to any open or closed account maintained or formerly maintained with the City shall be ineligible to receive any new or additional licenses until such debt has been resolved to the satisfaction of the City.

- 7) Like all properties in the City of Williams, the property must be maintained in full compliance with all City building codes, the Williams Municipal Code, and the Williams Land Development Code.
- 8) Upon change of property owner, owner's agent, or other material facts set forth in the annual registration, a new registration for a short-term vacation rental shall be required to continue operation of the vacation rental and within fourteen (14) days of said change the owner or owner's agent shall submit the required registration and fee.
- 9) The denial of a registration certificate for any reason may be appealed in writing to the City Manager.
- 10) A vacation rental registration certificate shall be in effect and valid for one (1) year, or any portion of a year, from the date of application and shall require renewal each year thereafter, which application shall be accompanied by a fee established by City Council resolution.

§ 117.04 Operational Requirements and Standard Conditions:

- 1) The owner shall be responsible to ensure that the vacation rental unit complies with all applicable codes regarding fire, building, health and safety, and all other relevant laws. Shielding: All Luminaires mounted on or recessed into the lower surface of service station canopies shall be fully shielded and utilize flat lenses.
- 2) The overnight occupancy of the vacation rental unit shall be limited to not more than two (2) persons thirteen (13) years of age and older, plus an additional two (2) persons thirteen (13) years of age and older per bedroom within the vacation rental unit. The number of bedrooms in a vacation rental may be verified by staff using County Assessor or City building records or by inspection, prior to the issuance of a certificate. The following chart is provided as an example of how this section would be applied to specific situations:

NUMBER OF BEDROOMS	NUMBER OF OCCUPANTS
0	2
1	4
2	6
3	8
4	10
5	12
6	14

- 3) During the rental term each vacation rental unit is rented, the local contact person shall be available twenty-four (24) hours per day, seven (7) days per week for the

purpose of responding by phone within thirty (30) minutes and in person within sixty (60) minutes to any initial or successive complaints regarding the condition, operation, or conduct of occupants of the vacation rental.

- 4) The local contact person shall be responsible to ensure that the occupants and guests of the vacation rental unit do not create unreasonable noise disturbances, engage in disorderly conduct, or violate provisions of the code or any state law.
- 5) The local contact person shall be responsible to ensure that trash and refuse shall not be left stored within public view except as allowed.
- 6) The local contact person shall be responsible to ensure that noise levels shall not exceed those described in Chapter 130.
- 7) Prior to occupancy pursuant to each separate occasion of rental of a vacation rental, the owner or the owner's agent or representative shall enter into a written rental agreement with a responsible person where:
 - (1) the responsible person will provide the responsible person's name, age, address, and a copy of a government-issued identification;
 - (2) establishes and sets out the terms and conditions of the rental agreement, including without limitation occupancy limits, trash disposal, and noise prohibitions;
 - (3) requires the responsible person to acknowledge and agree that he or she is legally responsible for compliance of all occupants of the vacation rental or their guests with all provisions of this chapter and the code; and
 - (4) provides a copy of the "Good Neighbor Brochure" to the responsible person.Each rental agreement shall be maintained by the owner or the owner's agent for a minimum of two (2) years and shall be readily available for inspection upon request of the City. Notwithstanding a rental agreement between the responsible person and owner, the owner of the vacation rental unit or units shall remain responsible for compliance with the provisions of this chapter and the failure of the responsible person to comply with this chapter or the rental agreement shall not relieve the owner of the obligations under the provisions of this chapter.
- 8) The local contact person shall, upon notification that the responsible person, including any occupant or guest of the vacation rental unit, has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of provisions of the code or any state law, promptly respond in a timely and appropriate manner to prevent a recurrence of such conduct by those occupants or guests.
 - A) For the purpose of this subsection and subsection (a) of this section, the phrase "in a timely and appropriate manner" shall mean each of the following components:
 - 1) Telephonic contact with the responsible person at the subject vacation rental unit within thirty (30) minutes of a call for each incident during a rental term

- 2) In-person contact at the subject vacation rental unit within sixty (60) minutes of a call if contact with the responsible person is not made by telephone for each incident during a rental term
 - a) Failure of the local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this chapter. It is not intended that a local contact person act as a peace officer or place him/herself in an at-risk situation.
 - b) The local contact person shall post a copy of the Short-term Vacation rental registration certificate and a copy of the conditions set forth in this section in a conspicuous place within the vacation rental unit.
 - c) The local contact person shall provide the responsible person of a vacation rental with the following information prior to occupancy of the unit and post such information in a conspicuous place within the unit:
 - i. The name of the local contact person and a telephone number at which that party may be reached on a twenty-four (24) hour basis;
 - ii. The maximum number of overnight occupants permitted to stay in the unit;
 - iii. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property;
 - iv. Notification that noise levels shall not exceed those described Chapter 130;
 - v. Notification that the occupant may be cited or fined by the City and may be evicted by the local contact person pursuant to state law, in addition to any other remedies available at law, for creating a disturbance or for violating other provisions of this chapter;
 - vi. Notification that failure to conform to the occupancy requirements of the vacation rental unit is a violation of this chapter;
 - vii. A copy of this chapter, as may be amended from time to time.
 - d) The use of a short-term vacation rental unit shall not violate any applicable conditions, covenants, or other restrictions on real property.
 - e) The owner shall comply with all provisions of the City Model Tax Code concerning transient occupancy taxes.

§ 117.05 Fees

- 1) The owner of the short-term vacation rental shall pay an initial registration fee of ninety-five (\$95.00), to be collected at the time of application.
- 2) The owner of the short-term vacation rental shall pay an annual registration fee of thirty-five (\$35.00), due January 1, each year.
- 3) The owner of the short-term vacation rental shall pay an initial Fire Safety Inspection fee of sixty-five (\$65.00) due at the time of application, as well as an additional sixty-five (\$65.00) annual Fire Safety Inspection fee, due January 1, each following year. No short-term vacation rental can be operational until this fee is paid and inspection has been completed.
- 4) Fees are subject to change on an annual basis, after review and approval from City Council.

A) Audit

- 1) Each owner, or owner's agent, shall provide access to each short-term vacation rental and any records related to the use and occupancy of the vacation rental to the City Manager or designee at any time during normal business hours, for the purpose of inspection or audit to determine that the objectives and conditions of this chapter are being fulfilled.

B) Violations

- 1) Any person who uses, or allows the use of, residential property in violation of the provisions in this chapter is guilty of a misdemeanor for each day in which the residential property is used, or allowed to be used, in violation of this chapter. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to §10.99 of this code of ordinances.
- 2) Notwithstanding the provisions of subsection (A) of this section, any citation or courtesy notice issued for violations of the City Code to provide for a reasonable compliance date or time, a shorter compliance period may be required or a citation may be issued if, due to the nature of the violation, a shorter compliance period is necessary or appropriate, as determined in the reasonable judgment of the City official issuing the citation or notice.
- 3) Upon the third or any subsequent violation of this chapter or any other provision of the City Code in any twelve (12) month period, the City Manager or his designee may suspend or revoke the short-term vacation rental registration certificate for a vacation rental unit.
- 4) The 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 code or other public nuisance.

- 5) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of vacation rental or the property on which it is located.

C) Requirements not Exclusive

- 1) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of short-term vacation rental or the property on which it is located.

CITY OF WILLIAMS

Summary of Proposed New or Modified Fees

City Code and/or Fee Schedule Reference	Fee Description	Customers Impacted	Existing Fee	Proposed Fee	Justification and/or Cost Basis
Department: Building & Permits					
Vacation/Short-Term Rental Fees	Initial Registration Fee	Homeowners	\$ -	\$ 95.00	To cover the cost to track vacation/short-term rentals, and make sure fire codes are enforced and dwellings are safe
Vacation/Short-Term Rental Fees	Annual Registration Fee	Homeowners	\$ -	\$ 35.00	
Vacation/Short-Term Rental Fees	Initial and Annual Fire/Safety Inspection Fee	Homeowners	\$ -	\$ 65.00	
Business License Fee	Initial Registration Fee	Business Owners	\$ 25.00	\$ 100.00	To cover cost of processing and tracking
Business License Fee Renewal	Annual Registration Fee	Business Owners	\$ 25.00	\$ 50.00	To cover cost of processing and tracking
Temporary Business License Fee	Temporary Registration Fee	Business Owners	\$ 10.00	\$ 25.00	To cover cost of processing and tracking
Department: SANITATION					
Roll Off Rental Fees	Roll Off Rental Fee (Delivery)	General Public - Resident	\$ 100.00	\$ 200.00	Current fees do not cover the cost of delivery and pickup. There is no time limit on how long these roll offs can be kept by the customer.
	Roll Off Rental Fee (Delivery)	General Public - Non Resident	\$ 100.00	\$ 200.00	
	Roll Off Rental Fee (Pickup)	General Public - Resident	\$ 100.00	\$ 200.00	
	Roll Off Rental Fee (Pickup)	General Public - Non Resident	\$ 100.00	\$ 200.00	
	Material Weight	General Public - Resident	\$ 0.05	\$ 0.05	
	Material Weight	General Public - Non Resident	\$ 0.05	\$ 0.05	Currently there is not a time limit on rentals. Each dump during initial rental will start 14 day time limit over
NEW	Rental (each day after 14 consecutive days)	General Public - Resident	\$ -	\$ 20.00	
NEW	Rental (each day after 14 consecutive days)	General Public - Non Resident	\$ -	\$ 20.00	
Department: ADMINISTRATION					
NEW	Liquor License Application Processing	Liquor License Applicants	\$ -	\$ 150.00	Currently there is no charge for processing Liquor License Applications in the City of Williams
NEW	Liquor License Application Modifications	Liquor License Applicants	\$ -	\$ 75.00	
NEW	Special Event Liquor License Application Processing	Liquor License Applicants	\$ -	\$ 25.00	

Chapter 117: Short-Term, Vacation, Rentals

§ 117.01 Purpose

- 1) The purpose of this Section is to establish regulations for Short-Term Vacation Rental use of residential property, enabling the City to preserve the public health, safety and welfare of the community.
- 2) This section is not intended to further regulate hotels, motels, inns, time-share units, bed and breakfast, or non-Short-Term Vacation type rental arrangements.

§ 117.02 Definitions

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- 1) **APPLICANT.** The owner or, in the event the vacation rental is covered by an exclusive listing arrangement, the agent or representative of the owner.
- 2) **BEDROOM.** An area of a vacation rental normally occupied for sleeping and being heated or cooled by any equipment for human habitation, which is seventy (70) square feet and greater in size, with at least one (1) horizontal distance measuring at least seven (7) feet, having four (4) walls to the ceiling, at least one (1) of which is located along an exterior wall with an egress window, ~~and containing a built-in closet.~~
- 3) **EXCLUSIVE LISTING ARRANGEMENT.** A written agreement between an owner and an agent or representative where the agent or representative has the sole and exclusive right to rent or lease a vacation rental unit to any person and the owner is prohibited from renting or leasing the vacation rental unit except through the owner's agent or representative.
- 4) **LOCAL CONTACT PERSON.** A local property manager, owner or owner's agent, who is available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by phone within thirty (30) minutes and in person within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation rental, or any owner's agent authorized by the owner to take remedial action and who responds to any violation of this code.
- 5) **OWNER.** The person(s) or entity(ies) that hold(s) legal or equitable title to a vacation rental.
- 6) **PROPERTY.** A residential legal lot of record on which a vacation rental is located.
- 7) **RENTAL TERM.** The period of time a responsible person rents or leases a vacation rental.

- 8) **RESPONSIBLE PERSON.** An occupant of a vacation rental who shall be legally responsible for compliance of all occupants of the unit and their guests with all provisions of this chapter and this code.
- 9) **SHORT-TERM VACATION RENTAL.** One (1) or more residential dwellings, including either a single-family detached or multiple-family attached unit, or any portion of such a dwelling, including associated yards, located in a single or multifamily residential zone pursuant to the City's Land Development Code and Zoning Map, advertised or offered for rent or occupancy, or in fact rented for occupancy, for dwelling, lodging, or sleeping purposes for a period of twenty-nine (29) consecutive days or less, other than ongoing month-to-month tenancy granted to the same renter for the same unit, occupancy on a time-share basis, or a condominium hotel.

- 10) **SHORT-TERM VACATION RENTAL REGISTRATION CERTIFICATE ~~or~~ REGISTRATION CERTIFICATE.** An annual registration submitted to the City pursuant to this chapter.

A. Registration Certificate and Advertisement Display Required:

- 1) No owner of a short-term vacation rental shall rent a vacation rental for a period of twenty-nine (29) consecutive days or less without a valid registration certificate.
- 2) A short-term vacation rental registration certificate will be on file with the City of Williams Police Department and Fire Department. This information is vital if they should respond to a short-term rental location or if immediate contact of the owner, owner's agent or local contact is needed.

B. Agency:

- 1) An owner may retain an agent or a representative to comply with the requirements of this chapter, including, without limitation, the filing of a complete vacation rental registration, the management of the vacation rental unit or units, and the compliance with the requirements of this chapter. Except as provided in subsection (B) of this section and notwithstanding any agency relationships between an owner and an agent or representative, the owner of the vacation rental unit or units shall remain responsible for compliance with the provisions of this chapter and the failure of an agent to comply with this chapter shall not relieve the owner of the owner's obligations under the provisions of this chapter.
- 2) In the event an owner enters into an exclusive listing arrangement, the short-term vacation rental registration certificate may be secured, and the transient occupancy registration certificate requirements provided in this chapter may be performed, by the agent or representative and not by the owner.

§ 117.03 Short-term Vacation Rental Registration Requirements

A) Prior to use of a property as a vacation rental, the applicant shall register the property as a vacation rental with the City annually on a registration form furnished by the City and signed by the applicant under penalty of perjury. Each application shall contain the following information:

- 1) The address of the residential property proposed to be used as a short-term vacation rental.
- 2) The name, address, and telephone number of the owner of the unit for which the short-term vacation rental registration certificate is to be issued.
- 3) The name, address, and **twenty-four (24) hour** telephone number of the agent **or local contact person**, if any, of the owner of the unit that **can respond by telephone or in person to the site of the vacation rental within the timeframes provided in this chapter.**
- ~~4) The name, address, and telephone number of the agent, if any of the owner of the unit.~~
- ~~5) The name, address, and twenty four (24) hour telephone number of the local contact person and verification that the local contact person can respond by telephone or in person to the site of the vacation rental within the timeframes provided in this chapter.~~
 - ~~a. Evidence that the applicant has provided the name and twenty four (24) hour telephone number of the local contact person to property owners in immediate proximity on all sides, as shown in the Coconino County Assessor's records.~~
 - b. The number of bedrooms in the vacation rental unit.
 - c. The applicable overnight occupancy limit of the unit consistent with the provisions of this chapter.
 - d. Valid business license issued by the City of Williams.
 - e. Evidence of a valid transaction privilege tax license by ~~the City or the~~ State of Arizona for the vacation rental unit.
- 6) A short-term vacation rental registration certificate may be denied if a registration certificate for the same unit and issued to the same owner was previously revoked pursuant to this chapter.

- 7) A short-term vacation rental registration certificate may be denied for failing to provide required information or for failure to pay amounts owed to the City for penalties, interest, fees, charges, transaction privilege taxes, sewer connection fees, or any other amounts owed to the City for any other reason. Any applicant who has a current debt related to any open or closed account maintained or formerly maintained with the City shall be ineligible to receive any new or additional licenses until such debt has been resolved to the satisfaction of the City.
- 8) Like all properties in the City of Williams, the property must be maintained in full compliance with all City building codes, the Williams Municipal Code, and the Williams Land Development Code.
- 9) Upon change of property owner, owner's agent, or other material facts set forth in the annual registration, a new registration for a short-term vacation rental shall be required to continue operation of the vacation rental and within fourteen (14) days of said change the owner or owner's agent shall submit the required registration and fee.
- 10) The denial of a registration certificate for any reason may be appealed in writing to the City Manager.
- 11) A vacation rental registration certificate shall be in effect and valid for one (1) year, or any portion of a year, from the date of application and shall require renewal each year thereafter, which application shall be accompanied by a fee established by **Ordinance** or City Council resolution.

§ 117.04 Operational Requirements and Standard Conditions:

- 1) The owner shall be responsible to ensure that the vacation rental unit complies with all applicable codes regarding fire, building, health and safety, and all other relevant laws.
- 2) The overnight occupancy of the vacation rental unit shall be limited to not more than two (2) persons ~~thirteen (13)~~ eighteen (18) years of age and older, plus an additional two (2) persons ~~thirteen (13)~~ years of age and older per bedroom within the vacation rental unit. The number of bedrooms in a vacation rental ~~may~~ shall be verified by **city** staff ~~using County Assessor or City building records or by inspection~~, prior to the issuance of a certificate. The following chart is provided as an example of how this section would be applied to specific situations:

3)

NUMBER OF BEDROOMS	NUMBER OF OCCUPANTS
0	2
1	4
2	6
3	8
4	10
5	12
6	14

- 4) During the rental term each vacation rental unit is rented, ~~the owner, owner's agent or local contact person~~ ~~the local contact person~~ shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by phone within thirty (30) minutes and ~~shall be available~~ in person within sixty (60) minutes, ~~if needed~~, to any initial or successive complaints regarding the condition, operation, or conduct of occupants of the vacation rental.
- 5) The owner, owner's agent or local contact person shall be responsible to ensure that the occupants and guests of the vacation rental ~~are aware of city code and the following violations: do not create unreasonable noise disturbances, engage in disorderly conduct, occupancy limits, illegal dumping and not containing trash and litter, illegal parking. or violate provisions of the code or any state law.~~
- ~~6) The local contact person shall be responsible to ensure that trash and refuse be legally disposed of and shall not be left stored within public view except as allowed.~~
- ~~7) The local contact person shall be responsible to ensure that noise levels shall not exceed those described in Chapter 130.~~
- ~~8) Prior to occupancy pursuant to each separate occasion of rental of a vacation rental, the owner or the owner's agent or representative shall enter into a written rental agreement with a responsible person where. (1) the responsible person will provide the responsible person's name, age, address, and a copy of a government-issued identification; (2) establishes and sets out the terms and conditions of the rental agreement, including without limitation occupancy limits, trash disposal, and noise prohibitions; (3) requires the responsible person to acknowledge and agree that he or she is legally responsible for compliance of all occupants of the vacation rental or their guests with all provisions of this chapter and the code; and (4) provides a copy of the "Good Neighbor Brochure" to the responsible person. Each rental agreement shall be maintained by the owner or the owner's agent for a minimum of two (2) years and shall be readily available for inspection upon request of the City. Notwithstanding a rental agreement between the responsible person and owner, the~~

~~owner of the vacation rental unit or units shall remain responsible for compliance with the provisions of this chapter and the failure of the responsible person to comply with this chapter or the rental agreement shall not relieve the owner of the obligations under the provisions of this chapter.~~

- 9) The owner, owner's agent or local contact person shall, upon notification by law enforcement or code enforcement officer, that the responsible person, including any occupant or guest of the vacation rental unit, has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of provisions of the code or any state law, promptly respond in a timely and appropriate manner to prevent a recurrence of such conduct by those occupants or guests.

A) For the purpose of this subsection and subsection (a) of this section, the phrase "in a timely and components: appropriate manner" shall mean each of the following

- 1) Telephonic contact with the responsible person at the subject vacation rental unit within thirty (30) minutes of an enforcement officer's call, for each incident during a rental term.
- 2) In-person contact at the subject vacation rental unit within sixty (60) minutes, if needed or requested by the enforcement officer, for each incident during a rental term
 - a) Failure of the owner, owner's agent or local contact person to respond to an official calls or complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this chapter. ~~It is not intended that a local contact person act as a peace officer or place him/herself in an at-risk situation.~~
 - b) ~~The local contact person~~ A copy of the Short-term Vacation rental registration certificate and a copy of the conditions set forth in this section shall be posted in a conspicuous place within the vacation rental unit.
 - c) ~~The local contact person shall provide~~ The responsible person of a vacation rental shall be provided with the following information prior to occupancy of the unit and post such information in a conspicuous place within the unit:
 - i. The name of the local contact person and a telephone number at which that party may be reached on a twenty-four (24) hour basis;
 - ii. The maximum number of overnight occupants permitted to stay in the unit;

- iii. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property;
 - iv. Notification that noise levels shall not exceed those described in Chapter 130.35;
 - v. Notification that the occupant may be cited or fined by the City and may be evicted by the owner, owner's agent, or local contact person pursuant to state law, in addition to any other remedies available at law, for creating a disturbance or for violating other provisions of this chapter;
 - vi. Notification that failure to conform to the occupancy requirements of the vacation rental unit is a violation of this chapter;
 - vii. A copy of this chapter, as may be amended from time to time.
- d) The use of a short-term vacation rental unit shall not violate any applicable conditions, covenants, or other restrictions on real property.
 - e) The owner shall comply with all provisions of the City Model Tax Code concerning transient occupancy taxes.

§ 117.05 Fees

- 1) The owner of the short-term vacation rental shall pay an initial registration fee of ninety-five (\$95.00), to be collected at the time of application.
- 2) The owner of the short-term vacation rental shall pay an annual registration fee of thirty-five (\$35.00), due January 1, each year.
- 3) The owner of the short-term vacation rental shall pay an initial Fire Safety Inspection fee of sixty-five (\$65.00) due at the time of application, as well as an additional sixty-five (\$65.00) annual Fire Safety Inspection fee, due January 1, each following year. No short-term vacation rental can be operational until this fee is paid and inspection has been completed and approved.
- 4) Fees are subject to change on an annual basis, after review and approval from City Council.

A) Audit

- 1) Each owner, or owner's agent, shall provide access to each short-term vacation rental and any records related to the use and occupancy of the vacation rental to the City Manager or designee at any time during normal business hours, for the purpose of inspection or audit to determine that the objectives and conditions of this chapter are being fulfilled.

B) Violations

- 1) Any person who uses, or allows the use of, residential property in violation of the provisions in this chapter is guilty of a misdemeanor for each day in which the residential property is used, or allowed to be used, in violation of this chapter. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to §10.99 of this code of ordinances.
- 2) Notwithstanding the provisions of subsection (A) of this section, any citation or courtesy notice issued for violations of the City Code to provide for a reasonable compliance date or time, a shorter compliance period may be required or a citation may be issued if, due to the nature of the violation, a shorter compliance period is necessary or appropriate, as determined in the reasonable judgment of the City official issuing the citation or notice.
- 3) Upon the third or any subsequent violation of this chapter or any other provision of the City Code in any twelve (12) month period, the City Manager or his designee may suspend or revoke the short-term vacation rental registration certificate for a vacation rental unit.
- 4) The 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 code or other public nuisance.
- 5) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of vacation rental or the property on which it is located.

C) Requirements not Exclusive

- 1) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of short-term vacation rental or the property on which it is located.

Chapter 117: Short-Term, Vacation, Rentals

§ 117.01 Purpose

- 1) The purpose of this Section is to establish regulations for Short-Term Vacation Rental use of residential property, enabling the City to preserve the public health, safety and welfare of the community.
- 2) This section is not intended to further regulate hotels, motels, inns, time-share units, bed and breakfast, or non-Short-Term Vacation type rental arrangements.

§ 117.02 Definitions

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- 1) **APPLICANT.** The owner or, in the event the vacation rental is covered by an exclusive listing arrangement, the agent or representative of the owner.
- 2) **BEDROOM.** An area of a vacation rental normally occupied for sleeping and being heated or cooled by any equipment for human habitation, which is seventy (70) square feet and greater in size, with at least one (1) horizontal distance measuring at least seven (7) feet, having four (4) walls to the ceiling, at least one (1) of which is located along an exterior wall with an egress window.
- 3) **EXCLUSIVE LISTING ARRANGEMENT.** A written agreement between an owner and an agent or representative where the agent or representative has the sole and exclusive right to rent or lease a vacation rental unit to any person and the owner is prohibited from renting or leasing the vacation rental unit except through the owner's agent or representative.
- 4) **LOCAL CONTACT PERSON.** A local property manager, owner or owner's agent, who is available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by phone within thirty (30) minutes and in person within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation rental, or any owner's agent authorized by the owner to take remedial action and who responds to any violation of this code.
- 5) **OWNER.** The person(s) or entity(ies) that hold(s) legal or equitable title to a vacation rental.
- 6) **PROPERTY.** A residential legal lot of record on which a vacation rental is located.
- 7) **RENTAL TERM.** The period of time a responsible person rents or leases a vacation rental.

- 8) **RESPONSIBLE PERSON.** An occupant of a vacation rental who shall be legally responsible for compliance of all occupants of the unit and their guests with all provisions of this chapter and this code.
- 9) **SHORT-TERM VACATION RENTAL.** One (1) or more residential dwellings, including either a single-family detached or multiple-family attached unit, or any portion of such a dwelling, including associated yards, located in a single or multifamily residential zone pursuant to the City's Land Development Code and Zoning Map, advertised or offered for rent or occupancy, or in fact rented for occupancy, for dwelling, lodging, or sleeping purposes for a period of twenty-nine (29) consecutive days or less, other than ongoing month-to-month tenancy granted to the same renter for the same unit, occupancy on a time-share basis, or a condominium hotel.
- 10) **SHORT-TERM VACATION RENTAL REGISTRATION CERTIFICATE.** An annual registration submitted to the City pursuant to this chapter.
 - A. Registration Certificate and Advertisement Display Required:
 - 1) No owner of a short-term vacation rental shall rent a vacation rental for a period of twenty-nine (29) consecutive days or less without a valid registration certificate.
 - 2) A short-term vacation rental registration certificate will be on file with the City of Williams Police Department and Fire Department. This information is vital if they should respond to a short-term rental location or if immediate contact of the owner, owner's agent or local contact is needed.
 - B. Agency:
 - 1) An owner may retain an agent or a representative to comply with the requirements of this chapter, including, without limitation, the filing of a complete vacation rental registration, the management of the vacation rental unit or units, and the compliance with the requirements of this chapter. Except as provided in subsection (B) of this section and notwithstanding any agency relationships between an owner and an agent or representative, the owner of the vacation rental unit or units shall remain responsible for compliance with the provisions of this chapter and the failure of an agent to comply with this chapter shall not relieve the owner of the owner's obligations under the provisions of this chapter.
 - 2) In the event an owner enters into an exclusive listing arrangement, the short-term vacation rental registration certificate may be secured, and the transient occupancy registration certificate requirements provided in this chapter may be performed, by the agent or representative and not by the owner.

§ 117.03 Short-term Vacation Rental Registration Requirements

- A) Prior to use of a property as a vacation rental, the applicant shall register the property as a vacation rental with the City annually on a registration form furnished by the City and signed by the applicant under penalty of perjury. Each application shall contain the following information:
- 1) The address of the residential property proposed to be used as a short-term vacation rental.
 - 2) The name, address, and telephone number of the owner of the unit for which the short-term vacation rental registration certificate is to be issued.
 - 3) The name, address, and twenty-four (24) hour telephone number of the agent or local contact person, if any, of the owner of the unit that can respond by telephone or in person to the site of the vacation rental within the timeframes provided in this chapter.
 - a. The number of bedrooms in the vacation rental unit.
 - b. The applicable overnight occupancy limit of the unit consistent with the provisions of this chapter.
 - c. Valid business license issued by the City of Williams.
 - d. Evidence of a valid transaction privilege tax license by the State of Arizona for the vacation rental unit.
 - 4) A short-term vacation rental registration certificate may be denied if a registration certificate for the same unit and issued to the same owner was previously revoked pursuant to this chapter.
 - 5) A short-term vacation rental registration certificate may be denied for failing to provide required information or for failure to pay amounts owed to the City for penalties, interest, fees, charges, transaction privilege taxes, sewer connection fees, or any other amounts owed to the City for any other reason. Any applicant who has a current debt related to any open or closed account maintained or formerly maintained with the City shall be ineligible to receive any new or additional licenses until such debt has been resolved to the satisfaction of the City.
 - 6) Like all properties in the City of Williams, the property must be maintained in full compliance with all City building codes, the Williams Municipal Code, and the Williams Land Development Code.

- 7) Upon change of property owner, owner's agent, or other material facts set forth in the annual registration, a new registration for a short-term vacation rental shall be required to continue operation of the vacation rental and within fourteen (14) days of said change the owner or owner's agent shall submit the required registration and fee.
- 8) The denial of a registration certificate for any reason may be appealed in writing to the City Manager.
- 9) A vacation rental registration certificate shall be in effect and valid for one (1) year, or any portion of a year, from the date of application and shall require renewal each year thereafter, which application shall be accompanied by a fee established by Ordinance or City Council resolution.

§ 117.04 Operational Requirements and Standard Conditions:

- 1) The owner shall be responsible to ensure that the vacation rental unit complies with all applicable codes regarding fire, building, health and safety, and all other relevant laws.
- 2) The overnight occupancy of the vacation rental unit shall be limited to not more than two (2) persons eighteen (18) years of age and older, plus an additional two (2) persons thirteen (13) years of age and older per bedroom within the vacation rental unit. The number of bedrooms in a vacation rental shall be verified by city staff by inspection, prior to the issuance of a certificate. The following chart is provided as an example of how this section would be applied to specific situations:
- 3)

NUMBER OF BEDROOMS	NUMBER OF OCCUPANTS
0	2
1	4
2	6
3	8
4	10
5	12
6	14

- 4) During the rental term each vacation rental unit is rented, the owner, owner's agent or local contact person shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by phone within thirty (30) minutes and shall be available in person within sixty (60) minutes, if needed, to any initial or successive complaints regarding the condition, operation, or conduct of occupants of the vacation rental.

- 5) The owner, owner's agent or local contact person shall be responsible to ensure that the occupants and guests of the vacation rental are aware of city code and the following violations: unreasonable noise disturbances, engage in disorderly conduct, occupancy limits, illegal dumping and not containing trash and litter, illegal parking.
- 6) The owner, owner's agent or local contact person shall, upon notification by law enforcement or code enforcement officer, that the responsible person, including any occupant or guest of the vacation rental unit, has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of provisions of the code or any state law, promptly respond in a timely and appropriate manner to prevent a recurrence of such conduct by those occupants or guests.
 - A) For the purpose of this subsection and subsection (a) of this section, the phrase "in a timely and components: appropriate manner" shall mean each of the following
 - 1) Telephonic contact with the responsible person at the subject vacation rental unit within thirty (30) minutes of an enforcement officer's call, for each incident during a rental term.
 - 2) In-person contact at the subject vacation rental unit within sixty (60) minutes, if needed or requested by the enforcement officer, for each incident during a rental term
 - a) Failure of the owner, owner's agent or local contact person to respond to an official calls or complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this chapter.
 - b) A copy of the Short-term Vacation rental registration certificate and a copy of the conditions set forth in this section shall be posted in a conspicuous place within the vacation rental unit.
 - c) The responsible person of a vacation rental with the following information prior to occupancy of the unit and post such information in a conspicuous place within the unit:
 - i. The name of the local contact person and a telephone number at which that party may be reached on a twenty-four (24) hour basis;
 - ii. The maximum number of overnight occupants permitted to stay in the unit;
 - iii. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property;

- iv. Notification that noise levels shall not exceed those described in Chapter 130.35;
 - v. Notification that the occupant may be cited or fined by the City and may be evicted by the owner, owner's agent, or local contact person pursuant to state law, in addition to any other remedies available at law, for creating a disturbance or for violating other provisions of this chapter;
 - vi. Notification that failure to conform to the occupancy requirements of the vacation rental unit is a violation of this chapter;
 - vii. A copy of this chapter, as may be amended from time to time.
- d) The use of a short-term vacation rental unit shall not violate any applicable conditions, covenants, or other restrictions on real property.
 - e) The owner shall comply with all provisions of the City Model Tax Code concerning transient occupancy taxes.

§ 117.05 Fees

- 1) The owner of the short-term vacation rental shall pay an initial registration fee of ninety-five (\$95.00), to be collected at the time of application.
- 2) The owner of the short-term vacation rental shall pay an annual registration fee of thirty-five (\$35.00), due January 1, each year.
- 3) The owner of the short-term vacation rental shall pay an initial Fire Safety Inspection fee of sixty-five (\$65.00) due at the time of application, as well as an additional sixty-five (\$65.00) annual Fire Safety Inspection fee, due January 1, each following year. No short-term vacation rental can be operational until this fee is paid and inspection has been completed and approved.
- 4) Fees are subject to change on an annual basis, after review and approval from City Council.

A) Audit

- 1) Each owner, or owner's agent, shall provide access to each short-term vacation rental and any records related to the use and occupancy of the vacation rental to the City Manager or designee at any time during normal business hours, for the purpose of inspection or audit to determine that the objectives and conditions of this chapter are being fulfilled.

B) Violations

- 1) Any person who uses, or allows the use of, residential property in violation of the provisions in this chapter is guilty of a misdemeanor for each day in which the residential property is used, or allowed to be used, in violation of this chapter. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to §10.99 of this code of ordinances.
- 2) Notwithstanding the provisions of subsection (A) of this section, any citation or courtesy notice issued for violations of the City Code to provide for a reasonable compliance date or time, a shorter compliance period may be required or a citation may be issued if, due to the nature of the violation, a shorter compliance period is necessary or appropriate, as determined in the reasonable judgment of the City official issuing the citation or notice.
- 3) Upon the third or any subsequent violation of this chapter or any other provision of the City Code in any twelve (12) month period, the City Manager or his designee may suspend or revoke the short-term vacation rental registration certificate for a vacation rental unit.
- 4) The 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 code or other public nuisance.
- 5) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of vacation rental or the property on which it is located.

C) Requirements not Exclusive

- 1) The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this 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 this code pertaining to the use and occupancy of short-term vacation rental or the property on which it is located.