



**MAPLETON**  
— UTAH —

# **CONDITIONAL USE PERMIT APPLICATION SHORT-TERM RENTAL**

---

## **Applicant Information**

Applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Project Parcel#: \_\_\_\_\_

Project Location: \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Conditional Use: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

## **Submittal Requirements**

- Site Plan showing lot lines, location of existing and proposed structures and location of all required parking; and
  - Filled out rental questionnaire (attached).
-

## **MAPLETON CITY RECEPTION CENTER USE QUESTIONNAIRE**

---

- 1. Is your property at least 5 acres in size?** \_\_\_\_\_
- 2. How many dwelling units are on the site that would be rented and how many bedrooms in each?** \_\_\_\_\_
- 3. What do you anticipate the maximum occupancy to be?** \_\_\_\_\_
- 4. How often do you anticipate renting the property?** \_\_\_\_\_
- 5. Will you have a local property manager that will be available 24 hrs a day to respond to tenant, neighbor or City complaints?** \_\_\_\_\_
- 6. How will you ensure that renters are respectful of neighboring property owners and will obey the City's Disturbing the Peace Ordinance (see attached)?** \_\_\_\_\_
- 7. How will parking be accommodated (please include a site plan)?** \_\_\_\_\_
- 8. Are you proposing any signage? If yes, please provide a signage plan (location, size, text, etc.).** \_\_\_\_\_
- 9. Have you read and do you understand the attached Disturbing the Peace Ordinance, Short-Term Rental Ordinance and the Short-Term Rental Inspection Checklist?** \_\_\_\_\_

## **DISTRURBING THE PEACE ORDINANCE**

### **9.12.040: DISTURBING THE PEACE:**

A. General Prohibitions: It shall be unlawful for any person to maliciously or wilfully disturb the peace or quiet of another by loud or unusual noise or by tumultuous conduct or by threatening or yelling in a manner likely to incite another to violence.

B. Specific Violations: It shall be unlawful for any person to cause noise that constitutes a public disturbance after once being requested to stop making the noise. It shall be unlawful for any person in possession of real property to allow to originate from the property noise that constitutes a public disturbance after once being requested to stop permitting the noise. For purposes of this section, public disturbance shall be any sound which unreasonably disturbs or interferes with peace, comfort or repose of owners or possessors of real property. Between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M., activities which by their nature and by the time of day are deemed to unreasonably disturb or interfere with the peace, comfort or repose of owners or possessors of real property include, but are not limited to, the following sound sources:

1. Loading Operations: Loading, unloading, opening or otherwise handling boxes, crates, containers, garbage containers or other objects.
2. Construction Work: Operating, or causing to be operated, any equipment used in construction, repair, alteration or demolition work on buildings, structures or streets.
3. Commercial Power Equipment: Operating, or permitting to be operated, any power equipment.
4. Garbage Collection: The collection of garbage, waste or refuse.
5. Amplified Sound: The use of amplified music, stereo or sound systems which can be heard beyond the premises where such sound is generated.
6. Sports, Dances And Entertainment: Sports, dances or other entertainment activities in or adjacent to a residential zone between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. Sunday through Thursday and eleven thirty o'clock (11:30) P.M. Friday and Saturday nights through seven o'clock (7:00) A.M. Saturday and Sunday mornings.

C. Exemptions:

1. The restrictions set forth in the preceding two (2) subsections do not apply in case of actual emergencies which place persons or property in jeopardy.
2. Applications for a temporary permit for relief from the foregoing restrictions on the basis of undue hardship may be made to the city. The applicant must explain why no other

reasonable alternative is available. Any permit granted by the city manager or his or her authorized representative shall contain all conditions upon which the permit has been granted, including, but not limited to, the effective dates, any time restrictions, location, and any other reasonable requirements to minimize adverse affects upon the surrounding neighborhood.

3. The foregoing prohibitions do not apply to snow removal activities.

D. Penalty: Disturbing the peace is a class C misdemeanor if the offense continues after a request by a person to desist. Otherwise it is an infraction. Class C misdemeanors and infractions shall be punishable as set forth in section 76-3-301, Utah Code Annotated

### **SHORT-TERM RENTAL ORDINANCE**

#### **18.08.368 – Definitions**

**SHORT-TERM RESIDENTIAL RENTAL PROPERTY:** Property which is used by any person or entity, for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person or entity for less than (30) consecutive calendar, for direct or indirect remuneration. For this section, "remuneration" means compensation, money, rent or other consideration given in return for occupancy, possession or use of real property. This definition does not include uses such as a hotel, motel, bed and breakfast or timeshare.

#### **18.28.040: CONDITIONAL USES (A-2 Zone)**

Short-Term Residential Rental Property that complies with the follow:

- A. The rental shall be located on a legal lot of record of five (5) acres in size or larger;
- B. The property is developed or will be developed with a single-family residence that has received proper building permit approvals.
- C. Off street parking shall be provided to include two (2) parking spaces for the residence and one (1) additional space for each guest room. A site plan shall be submitted with the proposed parking plan.
- D. A business license shall be required.
- E. A building and fire inspection shall be required prior to issuance of a business license. Additional safety requirements may be imposed above those typically required for a single-family dwelling. A checklist of inspection items shall be provided to the applicant prior to the inspection.
- F. All short-term residential rental properties shall be subject to the municipality transient room tax as allowed under Utah Code.
- G. Failure to comply with the standards of this section and/or conducting the short-term rental property in a manner constituting or conducive to a breach of the public peace or a menace to the public health, safety, morals or welfare may result in a revocation of the conditional use permit by the planning commission.

- H. The property shall be rented as a single unit. Individual rooms may not be rented separately.
- I. All rental contracts shall require a minimum stay of two (2) consecutive nights.
- J. All short term residential rental properties shall designate a local property manager. The local property manager shall be available twenty four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each short term residential rental property shall have a clearly visible sign within the unit containing the name and phone number of the local property manager.
- K. No on-site camping shall be permitted (i.e. tents, RV's, campers, etc.). All tenants shall utilize the indoor sleeping accommodations provided with the rental.
- L. The owner and property manager shall be jointly and severally liable for any violations of this article. Any rental dwelling unit which is found in violation of this article or any other provision of the city code may be subject to revocation of the short term residential rental property's business license and the conditional use permit. For the purpose of item G and L of this provision the disturbing the peace ordinance in section 9.12.040.A of this code shall include any disturbances between the hours of 10:00 p.m. to 7:00 a.m.
- M. The applicant shall agree, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any appeal, claim, suit or other legal proceeding related to the short-term residential rental property approval.

### **SHORT-TERM RENTAL INSPECTION CHECKLIST**

1. Smoke alarms (less than 10 yrs. old) are required in each bedroom, each adjacent hallway to a bedroom and one on each floor, including the basement.
2. Carbon Monoxide detectors are required on each floor.
3. GFCI breakers are required in bathrooms, non-dedicated garage plugs and kitchen countertops (including islands or wet bars).
4. Water heaters
  - a. Strapped with approved straps (one strap on the top third and one on the bottom third of the tank)
  - b. Water heater expansion tank must also be strapped
  - c. Must be de-rated and have a sticker to reflect
  - d. Proper venting and gas connections
5. Furnace
  - a. Must have required clearances and access
  - b. Correct venting and gas/electrical connections
  - c. Combustion air
6. Handrails are required on any stairs over 3 risers.

7. Hot tubs
  - a. Disconnect must be a minimum of 5' but no more than 50' away (5 to 50 rule)
  - b. Guardrails must be provided on a raised deck
  - c. Glass within 5' must be tempered
8. Windows must be tempered in hazardous locations
9. Fire extinguishers shall be provided on each floor and at special locations as directed by the Fire Inspector (type 2A, 10 lbs min.)
10. Emergency egress windows in bedrooms
11. Safety ladders available in each second-story bedroom.
12. Buildings with fire sprinklers require annual inspections.
13. Adequate sanitary facilities.
14. Gas fired appliances are not allowed in sleeping areas.