

# **Mammoth Lakes Town Council Agenda Action Sheet**

**Title:** Waive the reading and adopt by title only the ordinance amending Chapters 3.12 (Transient Occupancy Tax) and 5.40 (Transient Rentals of Residential Units) updating Citation Limits for Health and Safety Violations.

**Council Meeting Date:** 11/16/2022

**Prepared by:** Rob Patterson – Administrative Services / Finance Director

**Recommended Motion:** Waive the reading and adopt by title only the ordinance amending Chapter 3.12.280 and 5.40.070 of the Town of Mammoth Lakes Municipal Code related to violation of Transient Occupancy Tax Code and Business Taxes, Licenses and Regulation as outlined in Attachment A.

**Summary:**

On November 2, 2022, Town Council received the first reading of that attached ordinance to update penalties allowed for violations of Short-term rental laws of the Town of Mammoth Lakes. This second reading and adoption will allow for this ordinance to take effect after the 30-day waiting period associated with non-emergent updates to the Town's Municipal Code.

Below you will find a summary of updates for this ordinance.

Summary of Updates

1. Connecting Chapters 3.12 and 5.40 as the Town's "Short-term rental ordinance" such that a violation of either chapter is a violation of the same ordinance within the meaning of Section 36900.
2. Establishing the fact that violations of Chapter 3.12 of the code "pose a threat to public health and safety" within the meaning of Government Code Section 36900(d)(4).
3. Establishing the fact that violations of Chapter 5.40 of the code "pose a threat to public health and safety" within the meaning of Government Code Section 36900(d)(4).
4. Increase maximum fine amount to one thousand five hundred dollars (\$1,500) for first violation.
5. Increase maximum fine amount to three thousand dollars (\$3,000) for the second violation within one year.
6. Set a maximum fine of five thousand dollars (\$5,000) for each additional violation within one year of the first violation.
7. Defining a process for granting hardship waiver under certain circumstances when the full amount of the fine would impose an undue financial burden on the responsible party.

These elements have been incorporated in the attached ordinance updates as outlined in Exhibit A.