1	CITY OF SANTA FE, NEW MEXICO
2	ORDINANCE NO. 2020-35
3	
4	
5	AN ORDINANCE
6	AMENDING THE TABLE OF PERMITTED USES, TABLE 14-6.1-1, REGARDING
7	SHORT-TERM RENTAL UNITS; AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT
8	BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL
9	PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-
10	TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY
11	LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS, TO REQUIRE A LOCAL
12	OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING
13	AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS
14	AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-
15	TERM RENTAL ORDINANCE; AMENDING THE LAND USE CODE DEFINITIONS IN
16	SECTION 14-12.1 SFCC 1987 AS THEY RELEATE TO SHORT-TERM RENTAL UNITS;
17	AMENDING SECTION 12-2.3 SFCC 1987 TO CLARIFY THAT A SHORT-TERM
18	RENTAL UNIT IS NOT A GROUP R-1 OCCUPANCY FOR PURPOSES OF FIRE
19	INSPECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.
20	
21	BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:
22	Section 1. Table 14-6.1-1 of the Land Development Code (being Ord. No. 2012-
23	37 § 2, as amended) is amended to read:
24	
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1																									
2		CATEO	ODV	RR	R-1	R-7	R7 - I	RC-	R-10	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	_ د	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-
3 4		CATEG Specific			R-1 - R-6	R-7 - R-9	Ι	RC-5, RC-8	R-10 - R-29	þ	(1)	*												**	Spec ific Reg s
5		RESIDE	ENTIAL			<u> </u>	<u> </u>								<u> </u>		<u> </u>						<u> </u>		
6 7		Househo	old Livir	ıg																					
8																					Ре	ermit	ted or	nly	(A)(
9		Short-Te	erm												as set forth				5),						
10		Rental U	Init		Ре	ermit	ted of	nly as	s set :	forth	in Se	ction	14-6	0.2(A))(5),	(6)					in Section 14-				(A)(
11																					6.2(A)(5), (6)			6)	
12		Section	n 2.	S	ubse	ectio	on 14	4-6.2	2(A)	(5)	of t	he I	and	l De	velo	pm	ent (Cod	e (b	eing	g Or	·d.			
13	No. 20	11-37 § 8	8, as ar	nen	ded) is a	ame	nde	d to	rea	d:														
14	14-6.2	USE-S	PECIF	TIC	STA	ND	AR	DS																	
15		(A)	Reside	entia	al Us	ses																			
16			(1)	С	onti	nuin	ıg C	are (Com	nmu	nity														
17				(a)	D	ensi	ty																	
18				In	dep	ende	ent a	lwel	ling	un	its a	re s	ubje	ct to	o th	e de	nsity	v sta	nda	rds	of t	he			
19			distric	et in	whi	ch t	he <i>c</i>	onti	nuir	ıg cu	are c	comi	nuni	<i>ity</i> is	s loc	ated	l.								
20				(b)	С	omp	olian	ice v	vith	state	e an	d fec	leral	l lav	V									
21				C	onti	nuin	g ca	are c	com	mun	ities	mu	st co	mpl	y w	ith a	ıll ap	oplic	able	e sta	<i>ite</i> a	nd			
22			federa	ıl lav	ws a	nd r	egu	latio	ons.																
23			(2)	Μ	[obi]	le H	ome	, Pe	rma	nent	t Ins	talla	tion												
24				In	any	y dis	stric	t in	whi	ch p	erm	aner	nt sir	ngle	-fan	ily (occu	pan	су о	faı	mobi	ile			
25			home	on	an i	ndiv	vidu	al <i>lo</i>	ot is	allo	wed	as	a sp	pecia	al u	se p	ermi	it by	the	bo	ard	of			
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1	adjus	tment, the following minimum standards apply:									
2		(a) the <i>mobile home</i> shall be anchored to a concrete foundation and									
3	skirte	skirted as specified by the land use director;									
4		(b) the rental or lease of <i>mobile homes</i> used as single-									
5		family residences on individual lots is prohibited; and									
6		(c) minimum requirements for <i>lot</i> size, <i>front</i> , <i>side</i> and <i>rear yards</i> ,									
7	and a	and all other standards pertaining to single-family residential land use set forth									
8	in Ch	apter 14 apply.									
9	(3)	Mobile Home Park									
10		(a) Applicability									
11		New mobile home parks are prohibited as of December 10, 2012									
12		(effective date of this Ordinance No. 2012-37). In a district in									
13		which mobile home parks are allowed, the minimum standards set out in									
14		this section apply.									
15		(b) License									
16		Prior to beginning operation, a mobile home park owner or									
17		operator must obtain a business license from the city under the									
18		provisions of Article 18-1 SFCC 1987.									
19		(c) Inspection									
20		The <i>city</i> may inspect a <i>mobile home park</i> for conformance with									
21		the provisions of this section.									
22		(d) Transfer of License									
23		The city may issue a transfer of the license only after the									
24		following:									
25		(i) <i>application</i> in writing for transfer of a license and									
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1		payme	ent of the transfer;
2			(ii) an inspection report by the <i>land use director</i> has been
3		submi	tted to the governing body, stating conformance or
4		nonco	nformance with the provisions of this section;
5			(iii) approval by the <i>governing body</i> .
6		(e)	Revocation of License
7			The governing body may revoke a license to maintain and
8		operat	e a mobile home park, as provided in Article 18-1 SFCC 1987
9		when	the <i>licensee</i> has violated any provision of this section.
10		(f)	Posting
11			The license certificate shall be conspicuously posted in the office
12		of or c	on the <i>premises</i> of the <i>mobile home park</i> at all times.
13		(g)	Standards
14			Mobile home parks shall comply with the standards set forth in
15		Subse	ction 14-7.2(1).
16	(4)) Manuf	factured Homes
17		Manuj	factured homes:
18		(a)	are permitted in any district in which site-built, single-family
19	dw	vellings are a	allowed;
20		(b)	shall meet all requirements of other site-built, single-family
21	dw	<i>vellings</i> in th	ne same district and all applicable historic or aesthetic standards
22	set	forth in Ch	apter 14; and
23		(c)	shall be constructed according to the Manufactured Home
24	Co	onstruction a	and Safety Standards, 24 CFR Section 3280.
25	(5)) Short-	Term Rental Units
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1	(a) Purpose and Intent
2	This section shall be known as the Short-Term Rental Unit Ordinance. The
3	purposes of the Short-Term Rental Unit Ordinance are the following:
4	(i) to ensure that the operation of <i>short-term rental units</i> does
5	not disrupt the character of the <i>city</i> 's residential neighborhoods or affect the quality
6	of life of neighboring residents;
7	(ii) to prevent speculators from purchasing multiple homes
8	for the purpose of operating multiple short-term rental units, thereby reducing the
9	availability of long-term housing;
10	(iii) to allow residents who comply with the <i>city</i> 's <i>short-term</i>
11	rental unit regulations the option of utilizing their homes and accessory dwelling
12	units as short-term rental units to create wealth and generate supplemental income;
13	(iv) to minimize public safety risks associated with short-term
14	rental units, such as higher traffic levels, parking issues, noise, litter, and other
15	public nuisances; and
16	(v) to ensure that an <i>owner</i> or <i>operator</i> of a <i>short-term rental</i>
17	unit follows applicable regulations, including the payment of all applicable fees
18	and taxes.
19	(b) Short-Term Rental <i>Permit</i> or Registration Required
20	(i) An owner of a short-term rental unit must have a city-
21	issued business license and either a short-term rental <i>permit</i> or a short-term rental registration, as
22	set forth in subsections 14-6.2(A)(5)(c) and (d).
23	(ii) An <i>owner</i> or <i>operator</i> shall not operate, rent, offer to rent,
24	or advertise a short-term rental unit without a valid permit or registration.
25	(iii) A city-issued permit or registration number must be
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1 included in all advertising of a short-term rental unit, including listings on a host platform. 2 Permit; Residentially Zoned Property. (c) 3 (i) Permit. A short-term rental unit on residentially zoned 4 property requires a city-issued permit. 5 (ii) One thousand (1000)-Permit Limit. The land use director 6 shall issue a maximum of one thousand (1000) short-term rental permits. The land use department 7 shall process *applications* in the order of receipt and shall issue new *permits* in the order that 8 complete *applications* are received. If the number of *permits* reaches the one thousand (1000)-9 permit limit, then the land use department shall stop processing applications and shall add 10 applicants to a waiting list until a permit becomes available. If an applicant waits on the list for a 11 year or longer, the *land use director* may require the *applicant* to indicate a continued interest in 12 remaining on the list. 13 (iii) One (1) Permit per Natural Person Limit. The land use 14 director shall issue permits to natural persons only, and each natural person may possess a 15 maximum of one (1) permit. If the subject property is owned by a legal or business entity, the 16 *permit* must be held in the name of a person with legal authority to act on behalf of that entity. The 17 fact that a *permit* must be issued to a *natural person* does not mean that the *property* cannot be 18 titled in such entities as a revocable trust, an LLC, or a corporation. The land use director shall not 19 issue *permits* to *dwelling units* that are comprised of multiple, time-divided ownership interests, 20 provided, however, that certain dwelling units may be eligible to maintain short-term rental 21 registrations, as set forth in subsection 14-6.2(A)(6)(b). 22 Permit Not Transferrable. A permit is not transferable to (iv) 23 another person or *property*. Upon the transfer of ownership of a *short-term rental unit*, the short-24 term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes 25 to use the property as a short-term rental unit, the owner shall submit a new application to the land

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1	use department. A transfer that does not result in new ownership of the property, such as a transfer
2	to the owner's revocable trust for estate planning purposes or a transfer to an LLC where there is
3	no change in the ownership interest in the <i>property</i> , does not constitute a transfer for purposes of
4	this subparagraph. Upon the death of the <i>permit</i> holder, the <i>permit</i> may be transferred to the
5	permit holder's spouse or domestic partner if the spouse or domestic partner submits a
6	written request to the land use director within ninety (90) days after the permit holder's
7	death, the spouse or domestic partner owns or will own the <i>property</i> upon the settlement
8	of the <i>permit</i> holder's estate, and the spouse or domestic partner does not already hold a
9	short-term rental <i>permit</i> .
10	(v) Frequency of Rental. A permitted <i>short-term rental unit</i>
11	shall not be rented more than once within a seven (7)-day period. The limitation set forth in this
12	subparagraph shall not apply to rentals that begin between November 15 and January 15.
13	(vi) Proximity. Subject to the exceptions listed below, the
14	land use director shall not issue a new permit for a short-term rental unit if the subject property,
15	as identified in the application, is located within a fifty (50)-foot radius of a residentially zoned
16	property that has a permitted short-term rental unit. The radius shall be measured from the subject
17	property boundary. This limitation shall not apply to the following:
18	(A) an <i>application</i> for a <i>short-term rental unit</i> that
19	complies with the requirements set forth in the accessory dwelling unit ordinance, subsection 14-
20	6.3(D)(1);
21	(B) an <i>application</i> for a <i>short-term rental unit</i> in a
22	multiple-family dwelling development that contains four (4) or more dwelling units, provided,
23	however, that the land use director shall not issue short-term rental permits for more than twenty-
24	five (25%) of such <i>dwelling units</i> , rounded down to the nearest whole number, and shall not issue
25	more than twelve (12) short-term rental <i>permits</i> within a single building within a <i>multiple-family</i>
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1	dwelling development.		
2	(d)	Regist	ration; Non-Residentially Zoned Property.
3		(i)	Registration. A short-term rental unit on non-residentially zoned
4	property requires a city	-issued	registration.
5		(ii)	Proximity. The land use director shall not issue more than twelve
6	(12) short-term rental	registra	tions within a single building within a multiple-family dwelling
7	development.		
8	(e)	Genera	al Provisions
9		Unless	s otherwise stated, the following general provisions apply to all
10	short-term rental units.		
11		(i)	A short-term rental unit must have a local operator that is
12	available twenty-four	(24) hoi	urs per day, seven (7) days per week, to respond to complaints
13	regarding the operation	or occu	pancy of the short-term rental unit. The operator must be accessible
14	by telephone and able	to be phy	ysically present at the <i>short-term rental unit</i> within one (1) hour of
15	being contacted.		
16		(ii)	An owner of a short-term rental unit shall provide off-street
17	parking on site as follo	ws:	
18			(A) one (1) bedroom, one (1) parking space; and
19			(B) two (2) or more bedrooms, two (2) parking spaces.
20		(iii)	A short-term rental unit must meet all applicable building, fire,
21	and safety codes, and	all toile	ets, faucets, and shower heads must meet the water conservation
22	requirements described	in Secti	ion 25-2.6 SFCC 1987.
23		(iv)	Prior to issuance of a <i>permit</i> or registration, a <i>short-term rental</i>
24	<i>unit</i> must have a <i>certifi</i>	cate of a	<i>occupancy</i> to ensure compliance with all applicable codes.
25		(v)	At or before the time of <i>application</i> for a <i>permit</i> or registration,
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1 the owner of a short-term rental unit must also apply for and obtain a business license under Section 2 18-1 SFCC 1987. 3 (vi) An owner or operator shall not allow guests to park recreational 4 vehicles on site or on the street. 5 Short-term rental units located on residentially zoned property (vii) 6 shall be used exclusively for residential purposes and shall not be used for commercial activities or 7 events, defined as intending to make money, offering goods or services for sale, or conducting any 8 other event or activity that is not residential in nature. An activity "not residential in nature" 9 includes gatherings in excess of two (2) times the number of legally allowed guests in the short-10 term rental unit, unless the activity or event is otherwise permitted by the city. 11 (viii) The total number of guests that may occupy a short-term rental 12 unit is twice the number of bedrooms. 13 Noise or other disturbance emitted from a short-term rental unit (ix) 14 is prohibited after 10:00 p.m., including noise or disturbances emitted from decks, portals, porches, 15 balconies, or patios. 16 (x) The owner or operator of a short-term rental unit shall notify all 17 guests in writing of relevant *city* ordinances, including the *city*'s nuisance and water conservation 18 ordinances. All guests shall comply with all relevant city ordinances. 19 (xi) The *owner* shall pay all applicable local, state, and federal taxes, 20 including lodgers' tax, gross receipts tax, and income tax. 21 (f) Application for a Short-Term Rental Permit or Registration 22 An *applicant* shall submit an *application* for a short-term rental *permit* or 23 registration that includes the following information and documentation: 24 the name and phone number of the local operator; (i) 25 (ii) owner and operator, affirming that they will operate the short-10193.4 9

1 term rental unit in compliance with this subsection 14-6.2(A)(5) and all other applicable laws, city 2 codes, and private covenants; and that no private covenants prohibit the operation of the short-term rental unit; and 3 4 (iii) additional information, documentation, and submittals as required 5 by the land use director. 6 Permit and Registration Renewals (g) 7 (i) Unless revoked pursuant to section 14-11.4, an *owner* may renew 8 a short-term rental *permit* or registration annually. 9 (ii) An application filed on or after January 1, 2022 for renewal of a 10 permit or registration shall include the records required by subparagraph 14-6.2(A)(5)(k) for the 11 previous one (1) year. 12 (iii) An owner must renew a short-term rental *permit* or registration 13 and the associated business license by March 15 of each year. If a *permit* or registration is not 14 renewed by March 15, the owner may pay a late fee of fifty dollars (\$50) to extend the time for 15 filing to renew to April 15. If a *permit* is not renewed by its expiration date, including any thirty 16 (30) day extension, then the *permit* will revert to the land use department and will become available 17 to the next eligible *applicant* on the waiting list, if any. An *owner* whose *permit* or registration has 18 expired may submit a new application for a short-term rental permit or registration to the land use 19 *director*. Issuance of a new permit is subject to the availability of *permits*. 20 (h) Fees for Short-term Rental Units 21 The following fees shall be used only to administer, manage, and enforce this 22 subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address applicable 23 licenses and taxes. 24 (i) Application fee. An application for a new short-term rental permit 25 or registration shall be accompanied by a one-time non-refundable application, processing, and 10193.4 10

1	inspection fee of one h	undred o	dollars (\$100).
2		(ii)	Business license fee. A short-term rental unit is subject to an
3	annual business license	e fee of t	thirty-five dollars (\$35).
4		(iii)	Permit fee. A short-term rental unit on residentially zoned
5	property is subject to a	an annua	l permit fee of two hundred and ninety dollars (\$290).
6		(iv)	Registration fee. A short-term rental unit on non-residentially
7	zoned property is subj	ect to an	annual registration fee of two hundred and ninety dollars (\$290).
8	(i)	Inspec	ctions
9		The c	ity shall perform an inspection prior to the issuance of an initial
10	permit or registration	to ensur	e compliance with subsection 14-6.2(A)(5) and all applicable fire,
11	health, and safety requ	irements	s; and may, upon notice to the owner, perform additional inspections
12	as warranted. To obtain	in a shoi	rt-term rental permit or registration, a dwelling unit must meet the
13	following requirement	s:	
14		(i)	fire evacuation plan;
15		(ii)	carbon monoxide detection;
16		(iii)	smoke alarms in all bedrooms;
17		(iv)	fire extinguishers on each floor;
18		(v)	no storage of combustible materials in mechanical, boiler, or
19	electrical rooms;		
20		(vi)	fireplace or wood stove must have non-combustible ash receptacle
21	outside the dwelling un	<i>nit</i> ; and	
22		(vii)	address numerals must be at least four (4) inches tall, with one-
23	half inch stroke width,	in contr	rasting color, visible from the street.
24	(j)	Requi	red Notice for Short-term Rental Permits
25		(i)	Within ten (10) days after the issuance or renewal of a short-term
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1	rental permit, the owner or operator shall mail notices by first-class mail to the homeowners							
2	association within which the unit is located (if applicable); to the owners of residentially zoned							
3	property within two hundred (200) feet of the subject property, exclusive of rights of way, as shown							
4	in the records of the county assessor; to the physical addresses of such properties where such							
5	address is different than the address of the owner; and to the land use department.							
6	(ii) The notices shall be on a form approved by the <i>land use director</i> .							
7	(iii) The notices shall contain the name and phone number of the local							
8	operator. Within ten (10) days after any change in the contact information for the local operator,							
9	the owner or operator shall mail a new notice to all parties entitled to notice.							
10	(iv) Within ten (10) days of the mailing, the <i>owner</i> or <i>operator</i> shall							
11	provide the land use director with copies of all required mailing lists and an affidavit of mailing							
12	signed by the person who mailed the notices.							
13	(k) Records							
14	Each owner or operator shall maintain records for the owner's short-term rental							
15	unit for at least the most recent three (3) years for the owner's short-term rental unit or units and							
16	shall make such records available to the <i>city</i> for inspection upon request. The records that must be							
17	maintained for each short-term rental unit include the following:							
18	(i) For a short-term rental unit located on residentially zoned							
19	property, the starting date of each reservation and the number of nights rented for each reservation;							
20	(ii) For all <i>short-term rental units</i> , the amount of rent guests paid by							
21	month; and							
22	(iii) For all <i>short-term rental units</i> , the amount of each type of tax and							
23	fee the owner paid to the <i>city</i> in connection with rental of the unit by month.							
24	(l) Violations and Penalties							
25	If an owner or operator fails to obtain the necessary permit or registration							
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1	before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report
2	applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the
3	owner or operator shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-
4	11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These
5	may include civil or criminal penalties or revocation of a short-term rental permit or registration.
6	(m) Restrictive Covenants
7	Private restrictive covenants, enforceable by those governed by
8	the covenants, may prohibit short-term rental units.
9	(n) Real Estate Disclosure
10	A real estate broker listing property in Santa Fe shall provide
11	prospective buyers with a current copy of this ordinance.
12	(o) Host Platforms.
13	(i) A <i>host platform</i> shall require an <i>owner</i> or <i>operator</i> of a <i>short-term</i>
14	rental unit to include a city-issued permit or registration number in all listings or advertisements
15	for a <i>short-term rental unit</i> .
16	(ii) Upon notice from the <i>city</i> that a <i>permit</i> or registration number on
17	a short-term rental unit listing is invalid, the host platform shall deactivate that listing within five
18	(5) business days.
19	(iii) A host platform shall provide a monthly report to the city that
20	includes the web address (URL) for each property listed on the host platform, together with
21	the permit or registration number associated with that URL.
22	(6) Existing Short-Term Rental <i>Permits</i> and Registrations
23	(a) Short-term rental <i>permits</i> and registrations held at the time the ordinance
24	amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-35) is adopted remain valid and
25	are not subject to the limitations on proximity set forth in subsection 14-6.2(A)(5)(c) or (d) or the
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limit of one *permit* per natural person set forth in subsection 14-6.2(A)(5)(c)((iii). The *owner* does not need to renew those *permits* or registrations until they expire. Upon expiration, and in subsequent years, the *owner* is eligible to timely renew the *permits* or registrations pursuant to subsection 14-6.2(A)(5)(i), subject to compliance with applicable requirements of subsection 14-6.2(A)(5) and payment of required fees.

6 (b) A short-term rental unit that is validly permitted or registered at the time 7 the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-35) is adopted and 8 that either is located within a *development containing resort facilities* or is comprised of multiple, 9 time-divided ownership interests may continue to operate as a short-term rental unit as provided in 10 this subparagraph. Such units are not subject to the limitations on proximity set forth in subsection 11 14-6.2(A)(5)(c) or (d) or the limit of one (1) permit per natural person set forth in subsection 14-12 6.2(A)(5)(c)((iii). Upon expiration of the existing *permit* or registration and in subsequent years, 13 the owner is eligible to timely file a renewal application and to obtain a short-term rental 14 registration for the following year. Eligible units shall be issued a short-term rental registration, not 15 a permit, regardless of whether the unit is located on residentially or non-residentially zoned 16 property, subject to ongoing compliance with applicable requirements of subsection 14-6.2(A)(5)17 and payment of applicable fees.

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(7)

Dwelling Units in Specified Commercial Districts

In the C-2 and SC Districts, *dwelling units* do not include mobile homes or
recreational vehicles and shall be one of the following:

21 22 (a) accessory dwelling units for occupancy only by owners, employees, or tenants of nonresidential uses that are operated on the same premises;

23

(b) part of a planned development;

24 (c) part of a use for which a development plan or special use *permit* is
25 required; or

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1	(d) part of a qualifying residential project within the Midtown LINC Overlay							
2	District.							
3	Section 3. Section 14-12.1 of the Land Development Code (being Ord. No. 2011-							
4	37, § 15 as amended) is amended to add and amend the following definitions:							
5	14-12.1 DEFINITIONS							
6	DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL							
7	A development in which the owners own two (2) or more of the following facilities in common and							
8	have obtained a special use <i>permit</i> for operation of those facilities: swimming pools, spa facilities,							
9	golf courses, restaurants, or tennis facilities.							
10	GUEST, SHORT-TERM RENTAL							
11	Any person who rents a short-term rental unit or occupies a short-term rental unit during a rental							
12	period.							
13	HOST PLATFORM, SHORT-TERM RENTAL							
14	An internet website, a mobile application, or any other forum used to connect a short-term rental							
15	owner or operator with guests and to facilitate the booking of a short-term rental unit.							
16	NATURAL PERSON							
17	An individual human being, as opposed to an organization of any form or a business entity.							
18	OPERATOR, SHORT-TERM RENTAL							
19	A person who, with or without a short-term rental <i>permit</i> or registration, rents or offers to rent a							
20	short-term rental unit to guests.							
21	SHORT-TERM RENTAL UNIT							
22	A dwelling unit or accessory dwelling unit, or any portion of a dwelling unit or accessory dwelling							
23	unit, that is offered for rent or rented for a period of less than thirty (30) days.							
24	Section 4. Section 12-2.3 of SFCC 1987 (being Ord. No. 2004-53, §§ 6, 7 as							
25	amended) is amended as follows:							
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	101/01/							

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12-2.3 Annual fire inspections.

2 The following types of occupancies, as defined by the International Building Code, shall 3 require an annual inspection by the fire department for compliance with the fire code of the *city* of 4 Santa Fe.

5 Group A-1 occupancies (assembly occupancies including, but not limited to, A. 6 motion picture theaters, and symphony and concert halls, theaters);

7 B. Group A-2 occupancies (assembly occupancies including, but not limited to, 8 banquet halls, night clubs, restaurants, taverns, and bars);

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C. Group E occupancies (occupancies for educational purposes);

10 D. Group M occupancies, or greater, (mercantile occupancies including, but not 11 limited to, department stores, drug stores, markets, motor fuel-dispensing facilities, retail or 12 wholesale stores, sales rooms); and

E. 13 Group R-1 occupancies (residential occupancies where the occupants are primarily 14 transient in nature including, but not limited to, boarding houses, hotels, and motels).

Section 5: Effective Date. The provisions of this ordinance shall become effective January 1, 2021.

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PASSED, APPROVED, and ADOPTED this 9th day of December, 2020.

ALAN WEBBER, MAYOR

23 24 ANDA Y. VIG**(**L

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10193.4

ATTEST:

APPROVED AS TO FORM: ERIN K. MCSHERRY, CITY ATTORNEY Bill No. 2020-32 Legislation/2020/Ordinances/2020-35 Short-Term Rental Changes 10193.4