



Land Use Services Department

## BOARD OF SUPERVISORS HEARING

Ordinances Proposed to Increase Penalties on  
Short-Term Rental Code Violations

Agenda Item #136

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The County has made it a priority and designated significant resources to address community concerns and public safety in the areas of:

- Illegal Marijuana Cultivation
- Illegal Business Activity
- Illegal Dumping
- Impacts of Community Recreational Activities (Snow/Rec Play)
- Short-Term Rentals

Through the 2021/22 budget process, the Board of Supervisors has allocated \$10.4 million to address significant community concerns requiring immediate action.

- Private home Short-Term Rentals (STRs) are extremely popular for vacations and short getaways.
- Mountain and desert STRs in San Bernardino County are desirable and accessible within driving distance for all of Southern CA.
- Restrictions on travel and commercial lodging during the COVID-19 pandemic intensified STR demand in San Bernardino County.

## **STR Community Concern:**

- Second homes and cabins in mountain and desert communities that used to be vacant much of the time are now occupied by a steady stream of short-term renters who negatively impact local communities.

## **Neighborhood impacts caused by STR renters:**

- Parties and noise violations
- Improper trash disposal/attracting animals
- Ignorance or disregard of fire hazards
- Not knowing where to park/blocking access
- Wandering onto the wrong property
- Not respecting peace and privacy of local residents
- Change in character/quality of life within the neighborhood

**Significant resources are required to investigate and respond to these impacts on neighbors and entire communities.**

- The County Administrative Office has established a new approach to address community concerns, including enhanced Short-Term Rental (STR) code enforcement efforts.
- Chief Operating Officer Luther Snoke will lead this Task Force.
- Partners in the Task Force include:
  - Sheriff/Coroner/Public Administrator
  - District Attorney
  - County Counsel
  - Agriculture/Weights & Measures
  - Public Health – Environmental Health Services
  - Land Use Services – Code Enforcement

## **Recent Efforts to Improve STR Code Enforcement**

- Code Enforcement has been temporarily moved under our Chief Operating Officer to focus efforts on addressing these various concerns.
- Land Use Services Assistant Director will act as the head of Code Enforcement during the time a recruitment for a new Code Enforcement Chief is completed.
- Code Enforcement staff are being scheduled on weekends during peak STR use.
- Enforcement officers are deployed in key areas to investigate STR complaints.
- Complaints are conveyed to officers in real time to facilitate quick response.
- Late night hotline complaints are investigated in the early morning, if possible.
- Areas with recurring issues are re-visited periodically.

## **Enhancements Funded by the Board in the 2021/22 Budget:**

- Code Enforcement will be more visible to residents and STR renters.
- Increased monitoring and penalties will elicit better management by STR owners.

## **Current penalties for non-compliance** with STR regulations and permit requirements

1<sup>st</sup> offense: \$100      2<sup>nd</sup> offense: \$200      3<sup>rd</sup> offense: \$500

Repeated or hazardous violations may warrant permit suspension or revocation

## **Proposed penalty structure** (criminal or administrative)

1<sup>st</sup> offense: \$1,000      2<sup>nd</sup> offense: \$2,000      3<sup>rd</sup> offense: \$5,000

Same provisions for permit suspension or revocation

## New category: STR operation without a permit

Criminal Penalties: 1<sup>st</sup> offense: \$1,000 2<sup>nd</sup> offense: \$2,000 3<sup>rd</sup> offense: \$5,000  
and/or Administrative Penalties up to \$1,000 per violation per day

Concurrent to the proposed penalty changes, staff will engage in a thorough review and revision of STR regulations in Title 8 of the County Code. Once revisions to Title 8 have been drafted, the ordinance will be presented to the County Planning Commission for review in a public hearing. The County Planning Commission will then forward recommendations to the Board of Supervisors for action.



1. Consider proposed urgency ordinance amending Title 1 of the County Code relating to increased fines and penalties applicable to operation of short-term residential rental units.
  - a. Make alterations, if necessary, to the proposed urgency ordinance.
  - b. Approve introduction of proposed urgency ordinance.
  - c. Read title only; waive reading of entire text and adopt urgency ordinance. (Four votes required.)
  - d. Direct the Clerk of the Board to file a Notice of Exemption.
2. Consider proposed ordinance amending Title 1 of the County Code relating to increased fines and penalties applicable to operation of short-term residential rental units.
  - a. Make alterations, if necessary, to the proposed ordinance.
  - b. Approve introduction of proposed ordinance.
  - c. Read title only of proposed ordinance; waive reading of entire text and SCHEDULE FOR FINAL ADOPTION ON TUESDAY, JULY 13, 2021, on the Consent Calendar.
  - d. Direct the Clerk of the Board to file a Notice of Exemption.
3. Direct staff to monitor the effect of these ordinances on compliance and to prepare recommendations for amendments to the County Code as needed to alleviate adverse impacts of short-term rental units on unincorporated communities.