

**ORDINANCE NO. 2023-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY ADDING CHAPTER 4.15 TO THE JURUPA VALLEY MUNICIPAL CODE RELATING TO THE PROHIBITION OF SHORT-TERM RENTALS AND THE REQUIREMENTS FOR HOME-SHARING BUSINESSES MAKING RELATED AMENDMENTS TO CHAPTER 9.35, AND FINDING AN EXEMPTION FROM CEQA UNDER SECTION 15061(B)(3) OF THE CEQA GUIDELINES**

**THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 4.15 (Prohibition of Short-Term Rentals) is hereby added to Title 4 (Miscellaneous Regulations) of the Jurupa Valley Municipal Code to read as follows:

**“Chapter 4.15 PROHIBITION OF SHORT-TERM RENTALS**

Sections:

- 4.15.005 Legislative findings.
- 4.15.010 Intent and purpose.
- 4.15.015 Definitions.
- 4.15.020 Prohibition of short-term rentals.
- 4.15.025 Hosting platform responsibilities.
- 4.15.030 Violation; public nuisance.

**4.15.005 Legislative findings.**

A. Short-term vacation rentals deplete the supply of affordable housing available in the City, generate frequent complaints regarding parking issues, noise disturbances, and garbage removal, and compromise the safety of neighborhood residents by providing access to buildings to transient occupants.

B. The prohibitions found in this chapter are reasonable and expected to alleviate affordable housing scarcity for the benefit of long-term renters, aid the City’s traditional lodging industry, and ensure the safety of residents.

**4.15.010 Intent and purpose.**

The purposes of this chapter are:

- A. To prohibit short-term vacation rentals throughout the City;
- B. To protect public health, safety and general welfare of the community; and
- C. To reduce the costs for increased city service requests to resolve issues that arise from short-term rentals.

#### **4.15.015 Definitions.**

The definitions contained in this section shall govern the construction of this chapter.

A. “Short-term rental” shall mean the rental of a dwelling (in whole or in part) by owner(s) or lessee(s) to another person or group of people for occupancy, dwelling, lodging or sleeping purposes for a period of less than 30 consecutive days. The rental of units within city-approved hotels, motels, bed and breakfasts, community care facilities, social care facilities, single-room occupancy facilities, farmworker housing, emergency shelters, transitional and supportive housing, and low barrier navigation centers shall not be considered to be a short-term rental.

B. “Advertisement” means any print or online publication used for conveying to members of the public the ability or availability to rent a short-term rental unit as defined in this section. For the purposes of this section, advertisements include newspaper advertisements, billboard displays, verbal or written announcements, email or digital messaging, or any internet website platform.

C. “Hosting platform” is any natural person, business, or organization of any kind who participates in an approved home-sharing or vacation rental business by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation.

D. “Home-sharing” means an accessory use of a primary residence, such as making a room or part of a room available for rent in a primary residence while the owner or leaseholder resides in the unit during the guest’s stay.

E. “Booking transaction” is any reservation or payment service provided by a hosting platform who facilitates a home-sharing or vacation rental transaction between a prospective transient user and an owner

F. “Owner” is any person who owns the subject property.

#### **4.15.020 Prohibition of short-term rentals.**

It shall be unlawful for any person or entity to:

A. Offer or make available for rent or to rent (by way of a rental agreement, lease, license or any other means, whether oral or written) for compensation or consideration a dwelling (in whole or in part) for less than 30 consecutive days;

B. Occupy a dwelling (in whole or in part) for less than 30 consecutive days pursuant to a rental agreement, lease, license or any other means, whether oral or written, for compensation or consideration; or

C. Maintain any advertisement of a dwelling (in whole or in part) for less than 30 consecutive days.

#### **4.15.025 Hosting platform responsibilities.**

A. Subject to applicable laws, hosting platforms shall disclose to the City on a regular basis each residential property listing located in the City, the names of the persons responsible for each listing, the address of each listing, the length of stay for such listing and the price paid for each stay.

B. A hosting platform shall not complete any booking transaction for any dwelling or property purporting to be a short-term rental business.

C. A hosting platform shall not collect or receive fees, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to a residential property rental, including, but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the residential property or unit.

D. A hosting platform operating exclusively on the Internet in compliance with subsections above shall be presumed to be in compliance with this chapter, except that the host remains responsible for compliance with the administrative subpoena provisions of this chapter.

E. The provisions of this section shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the City to be in violation of, or preempted by, any such law(s).

#### **4.15.030 Violation; public nuisance.**

A. Any violation of this chapter is unlawful, is hereby declared a public nuisance, and may be abated and enjoined by the Enforcement Officer or any other designee in any manner provided by law.

B. Any violation of this chapter constitutes an infraction offense, and may be prosecuted as a misdemeanor at the discretion of the City Attorney. Each violation constitutes a separate offense punishable as set forth in Jurupa Valley Municipal Code Section 1.15.010.

C. The City may issue a written notice of violation to any occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform if there is any violation of this chapter committed, caused or maintained by any of the above parties.

D. Pursuant to Jurupa Valley Municipal Code Chapter 1.20, a City Enforcement Officer may issue an administrative citation for any violation of this chapter. Such administrative remedy may be exercised in place of, or in addition to, any administrative, criminal, civil, or equitable remedy allowed by law. The administrative fine amount shall be either two hundred (\$200) and may increase on separate events to five hundred dollars (\$500), and one-thousand

dollars (\$1,000), or an amount set by a resolution adopted by the City Council pursuant to Jurupa Valley Municipal Code Section 1.20.060. The City may increase fines for repeat violations.

E. The City may issue and serve administrative subpoenas as necessary to obtain specific information regarding prohibited short-term rental listings located in the City, including, but not limited to, the names of the persons responsible for such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay. Any subpoena issued pursuant to this section shall not require the production of information sooner than thirty (30) days from the date of service. A person that has been served an administrative subpoena may seek judicial review during that thirty-day period.”

**SECTION 2.** Section 9.35.070 (Prohibition of short-term rentals) is hereby added to Chapter 9.35 (Zone Classifications) of Title 9 (Planning and Zoning) of the Jurupa Valley Municipal Code to read as follows:

*“Prohibition of short-term rentals.* In no event shall short-term rentals as defined in Section 4.15.015 of the Jurupa Valley Municipal Code be considered a permitted or conditionally permitted use in any zone classification. Short-term rentals are prohibited in all zone classifications and no permit of any type shall be issued therefor.”

**SECTION 3.** This Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that this Ordinance, prohibiting short-term rentals, will have a significant effect on the environment. This Ordinance is an exercise of the City’s police power to prohibit disruptive activities that will not result in direct or indirect physical changes in the environment. The City Council has reviewed the administrative record concerning this Ordinance and the proposed CEQA determinations, and based on its own independent judgment, finds that the Code Amendment set forth in this Ordinance is not subject to, or exempt from, the requirements of the CEQA and the State CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3).

**SECTION 4.** If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

**SECTION 5.** The City Clerk of the City of Jurupa Valley shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

**SECTION 6.** This Ordinance shall take effect on \_\_\_\_\_, 2023.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Jurupa Valley on this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chris Barajas  
Mayor

ATTEST:

\_\_\_\_\_  
Victoria Wasko, CMC  
City Clerk

**CERTIFICATION**

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF JURUPA VALLEY        )

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2023-10 was regularly introduced at a regular meeting of the City Council held on the 6<sup>th</sup> day of July, 2023 and thereafter at a regular meeting held on the 20<sup>th</sup> day of July, 2023, it was duly passed and adopted by the following vote of the City Council:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 20<sup>th</sup> day of July, 2023.

\_\_\_\_\_  
Victoria Wasko, City Clerk  
City of Jurupa Valley