

Chapter 17.100 SHORT-TERM ~~VACATION~~ RENTALS

17.100.010 Purpose.

The purpose of this chapter is to provide the framework necessary to operate a short-term ~~vacation~~ rental within the County. The desired outcome of these requirements is the minimization of impacts on residential neighborhoods, the support of economic and tourism vitality, and the protection of natural resources, public health, and life safety.

Revisions Suggested for Section 17.100.010

Will H. – Delete entire paragraph, “These provisions reflect the goals and policies of the County Wide Planning Policies including but not limited to those that take into account the rural nature of the County, the need for affordable housing, the promotion of economic opportunities for all citizens, and the limitation or controls needed to ensure no detrimental effects on environmentally sensitive areas.”

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17.100.020 Definitions.

“County” – Mason County, Washington

“Department” – Department of Community Development

Revisions Suggested for Section 17.100.020

Will H. – add “See 17.100.040 for other definitions”

Will H. – delete definitions “Short-Term Rental”, “Short-Term Rental Operator”, and “Short-Term Rental Owner”

Brad C. – delete “bed and breakfast - delete “for fewer than thirty (30) consecutive nights.”

“Short-Term ~~Vacation~~ Rental” – A lodging use, that is not a hotel, motel, or bed and breakfast ~~[...]~~ in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights.

PLEASE READ FIRST!

PAC member suggested revisions within yellow text boxes on left side of document. Revisions are placed above the original draft section(s) referred to or staff has provided the entire reference in the yellow box.

Staff has provided responses to some of the suggestions based on existing state, local code, and knowledge of administrative practices within DCD. Responses will be on right side of page across from PAC member suggestion.

Please do not focus on the numbering in this discussion draft, staff is confident that the suggestions correctly correspond to the draft regulations though the numbering may be off. To conserve time and consider the fact that many of the sections may change entirely, staff decided not to focus on closely matching numbering to the original draft.

Brad C. – delete “bed and breakfast - delete “for fewer than thirty (30) consecutive nights.”

Staff response regarding above comment:

Not recommending these changes.

The items specifically called out to be deleted are directly from the RCW concerning short term rentals. Mason County already requires a bed and breakfast to go through Special Use permitting which requires a higher level of review, i.e. hearing examiner and conditions, or it is only allowed in specific zoning. The direction from the BOCC was to regulate STRs, the time frame within the draft regulations is the RCW definition and widely applied to defining STRs in Wa and other states.

Revisions Suggested for Section 17.100.020

Randy L. – Short term rentals do require a business license in Washington, but only if it grosses over \$12,000 per year.

Brad C. – delete, ““Short-Term ~~Vacation~~-Rental Operator” – Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term ~~vacation~~-rental unit, or their authorized agent.”

“Short-Term ~~Vacation~~-Rental Operator” – Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term ~~vacation~~-rental unit, or their authorized agent.

Revisions Suggested for Section 17.100.020

Brad C. – Within the “Short-Term Rental “Owner”” definition, replace “Owner” with “Owner/Operator” and replace “agent” with “authorized agent” and replace “or portion thereof” with “or portion thereof, receives payment”.

“Short-Term ~~Vacation~~-Rental “Owner” – Any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

17.100.030 Applicability

This chapter shall apply to all short-term ~~vacation~~-rentals in all zoning districts of the County. These standards are in addition to other development regulations. If there are any conflicts between this chapter and other development regulations, the most restrictive provisions shall apply.

Revisions Suggested for Section 17.100.040

Will H – replace title for Section 17.100.040 “Type” with “Revised Code of Washington (RCW)” and below title add “RCW 64.37, SHORT-TERM RENTALS, applies as written and without change to Mason County.” Also, delete all other text under this section.

Jeff C. – Separate (b) Type 2 owners into the following: (b) Type 2

(A) offsite in-state

(B) offsite out of state

Brad C. – *Within the “Short-Term Rental “Owner”” definition, replace “Owner” with “Owner/Operator” and replace “agent” with “authorized agent” and replace “or portion thereof” with “or portion thereof, receives payment”.*

Staff response regarding above comment,

Not recommending this suggestion.

Staff does not recommend combining “owner” and “operator” under the same definition as “owner” as currently drafted. An “owner” could also be the “operator”, conversely the “operator” is not necessarily the “owner”.

Will H – replace title for Section 17.100.040 “Type” with “Revised Code of Washington (RCW)” and below title add “RCW 64.37, SHORT-TERM RENTALS, applies as written and without change to Mason County.” Also, delete all other text under this section.

Staff response regarding above comment,

Without Mason County regulations there are no tools in place to support enforcement of STR “rules” laid out by the state. County’s are not mandated to adopt an STR ordinance, the state merely created a support structure for which County’s could base local regulations.

17.100.040 Type

Types of short-term ~~vacation~~ rentals are established in this section.

- (a) Type 1. Short-term ~~vacation~~ rentals of type 1 are those that are owner or operator occupied where either 1) rooms are rented and the owner is present during the rental period, or 2) the owner resides in the principal residence on the same parcel where the short-term ~~vacation~~ rental is located.
- (b) Type 2. Short-term ~~vacation~~ rentals of type 2 are located in a dwelling that is not owner or operator -occupied nor does the owner/operator reside on the lot where the short-term rental is located.

17.100.050 Standards for Operation of Short-Term ~~Vacation~~ Rentals

- (a) Operation of a short-term rental shall be within a qualifying structure as defined within this chapter and shall meet all other applicable development regulations as outlined in Mason County Code.

Revisions suggested for 17.100.050 (b)

- Will H. – Replace “permitted” with “considered”, replace “short term” with “short-term”
- Jeff C. – allow recreational trailers & motor homes if facilities to support exist.

(b) Recreational vehicles, tents, and yurts are not permitted as short-term rentals.

Revisions suggested for 17.100.050

- Will H. – Delete the rest of 17.100.050 and replace with the following:
- (c) A Property Management Plan shall readily visible and available to renters and shall contain the following:
 - (A) Rules of Conduct
 - (i) Rules shall include, but are not limited to, noise, quiet hours, trespassing, pet management, permitted parking locations, and litter.
 - a. Quiet hours should be observed after 10pm and before 7am.
 - b. Waste originating from short term rental guests and their pets should be disposed of in appropriate receptacles.
 - (B) Short-Term Rental street address.

Jeff C. – allow recreational trailers & motor homes if facilities to support exist.

Staff response regarding above comment,

Not recommending this suggestion.

Mason County does not have a permitting process for RVs/Motor Homes, they are not considered a “dwelling unit”. The County already has an RV park/Mobile Home park ordinance in place that regulates the number of RVs on a lot and which outlines the process for permitting an RV Park. Staff would not support this suggestion based on the conflicts with current local code and state definitions.

- (C) Site plan with property boundary lines, easements, beach access (if any).
 - (i) If the short-term rental owner/operator has ownership of tidelands, rules regarding harvesting shellfish shall be included along with the boundaries of the harvesting area depicted on the site plan.
- (D) Floor plan with fire escapes, escape routes, and fire extinguisher(s) locations.
- (E) Local emergency numbers, including but not limited to MACECOM, Burn ban Hotline, and WDFW.
 - (i) If local burn ban is in place, a copy of the press release with details of the ban stipulations.
 - (ii) Any restrictions on the use of fireworks.
- (F) Max occupancy limit
- (G) Max number of vehicles allowed on site
- (H) Waste pick-up schedule and location of waste receptacles.
- (I) Short-Term Rental Owner and Operator contact information
- (J) Any Homeowner Association (HOA) specific regulations, covenants, community property access information or the like.

(c) Lots within shoreline jurisdiction containing a main residence and an accessory dwelling unit are limited to permitting only the main residence or the accessory dwelling unit as the short term rental, subject to all other applicable requirements of this code.

Revisions suggested for 17.100.050 (d)

Brad C. – Replace “sewage” with “septic”

(ed) Occupancy limits shall be based on the number of bedrooms approved for the qualifying structure in relation to the on-site sewage system or sewer connection approved by the Mason County Environmental Health Department.

Revisions suggested for 17.100.050 (d)(1)

Brad C. – Insert “consistence with RCW 64.37.039 Consumer Safety,” after “Occupancy”

Jeff C. – Allow two (2) adults or three (3) children per bedroom.

(1) ~~(1)~~ Occupancy shall be limited to two (2) persons per bedroom, plus two (2) additional persons per short-term rental, or as approved by the Mason County Environmental Health Department, whichever is less.

Revisions suggested for 17.100.050 (d)(2)

Brad C. – Replace “sewage systems” with “septic systems or sewer connection”

(2) Operation and maintenance of on-site sewage systems shall be as prescribed by MCC 6.76.070 and performed by a qualified specialist as outlined in MCC 6.76.100.

Revisions suggested for 17.100.050 (e)

Mike H. – Add to 17.100.050(e) and 17.100.050(e)(1) “,and must be clearly posted on site with signage.”

Brad C. – Insert “(2) STR tenants shall not park on neighboring property or on-street parking” {original (2) below becomes (3)}

Jeff C. – STR site/property must be posted with on-site signage showing parking location(s).

Brad C. – Insert “(2) STR tenants shall not park on neighboring property or on-street parking” {original (2) below becomes (3)}

Staff response regarding above comment,

The STR draft regulations apply to the whole County, including the UGAs. Staff is not suggesting that “on-street” parking should be allowed but that PAC members remember parking within UGAs may be limited.

(de) Parking shall be provided for all guests on-site where the short-term ~~vacation~~ rental is located.

(1) Parking shall not occur within shared easements where such parking may block access to a neighboring property and/or cause a safety hazard.

(2) Parking shall be clearly marked on a site plan provided within the property management plan.

(ef) Solid waste normal residential handling and removal shall be managed in compliance with MCC 6.72.030(h)(3) with additional requirements, as follows:

Revisions suggested for 17.100.050 (f)(1)

Randy L. – Replace “Curbside waste removal service” with “Waste removal”. Replace “weekly” with “as needed for required code compliance” MCC 6.72. Replace “proof of service” with “adequate waste removal plan”.

(1) ~~(1)~~ Curbside waste removal service is required weekly and proof of service shall be required prior to issuance of a short-term rental permit.

Revisions suggested for 17.100.050 (f)(2)

Randy L. – after “location” below, insert “or if the property management can document an adequate waste removal plan by other means”.

(2) If curbside service is not available at the short-term rental location, a letter from Mason County Garbage, or authorized waste and recycling service provider, shall be provided to the Department prior to issuance of a short-term rental permit;

(A) A waste removal plan shall be included within the property management plan as part of the permit application.

Revisions suggested for 17.100.050 (g)

Jeff C. – add STR site plan on site and or posted.

Revision suggested for 17.100.050(g)(1)

Mike H. – “,and must be clearly posted on site with signage”.

Brad C. – under (g)(1) add

“a. The owner/operator will be responsible should any STR tenant harvest shellfish from any neighboring tidelands; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for non-conformance.”

“b. Refer to 17.100.080 Revocation Violations and Enforcement”

~~(f)~~ (g) The short-term rental property lines, easements, as well as public easements to access shorelines shall be depicted clearly on a site plan and provided within a property management plan.

(1) ~~(1)~~ If the short-term rental owner/operator also has ownership of tidelands and allows guests to access and utilize these tidelands for harvesting, rules regarding harvesting shellfish shall be communicate within the management plan and as well as the boundaries of the harvesting area ~~shall also be~~ depicted on the site plan provided in the property management plan.

Revisions suggested for 17.100.050 (h)

Mike H. – In paragraph below change “1 hour” to “2 hours” and “2 hours” to “3 hours”

Brad C.– Replace all “Operator” below with “Owner/Operator, or an authorized agent,”

Jeff - Need Definition of operator. The whole paragraph should be removed, sub section (h)(1) should be kept along with contact info on site and provide this info to adjacent property owners.

Brad C. - *“a. The owner/operator will be responsible should any STR tenant harvest shellfish from any neighboring tidelands; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for non-conformance.”*

“b. Refer to 17.100.080 Revocation Violations and Enforcement”

Staff response regarding above comment,

There is no need to specify certain “violations” in this section. If a violation occurs and can be substantiated it would count towards the number of violations as outlined in 17.100.080. If we outline this for “shellfish” then why are we not outlining it for each Standard. If the owner/operator is violating a Standard and/or Permitting requirement it would count towards a violation.

(gh) Operator of the short-term rental shall be available 24 hours a day. The operator shall respond to any communications regarding the use of the short-term rental and/or complaints within one (1)-hour, and if necessary operator shall be on site within two~~3~~-2 hours to provide and/or initiate resolution to valid issues and/or complaints.

(1) Contact information for the operator shall be provided in the property management plan. Information shall consist of the operator's name, phone number, email address, and address.

Revisions suggested for 17.100.050 (i)

Brad C. – Replace paragraph (i) below with:

(i) The short-term rental owner/operator shall register with the Washington State Secretary of State Corporations and Charities Filing System, creating and maintaining an “Active” business with a State Uniform Business Identification (UBI) and Federal Employer Identification Number (EIN).

(hi) The short-term rental owner/operator shall remit all applicable local taxes as specified in Mason County Code Title 3 as well as any state and federal taxes consistent with RCW 64.37.020.

(1) ~~(1)~~ Existing short term rental owner/operator, upon application for a new short term rental permit, shall provide the Department records indicating the owner/operator remitted all required local and state taxes for the property to be permitted.

Revisions suggested for 17.100.050 (i)

Jeff C. – Remove subsections a. and (2)

(Staff: Jeff C. comment above refers to the sections below on records of tax remittance)

a. The records shall include at least the last three (3) years of tax remittance.

(2) Each subsequent short term rental permit renewal shall require proof of tax remittance for the year prior to the renewal request.

(ij) A short-term rental operator shall maintain primary liability insurance coverage consistent with RCW 64.37.050.

Revisions suggested for 17.100.050 (k)

Brad C. – Insert “with RCW 64.37.040 Consumer Safety,” just prior to “RCW 19.27.530”.

(jk) Short-term ~~vacation~~ rental shall be in compliance with RCW 19.27.530 and any rules adopted by the state building code council regarding the installation of carbon monoxide alarms.

(1) Smoke alarms shall be installed per WAC 51-51-0314

(2) At a minimum a 2A-10BC rated fire extinguisher shall be provided in the kitchen and for multi-story units, one on each additional floor.

Brad C. – Replace paragraph (i) below with:

(i) The short-term rental owner/operator shall register with the Washington State Secretary of State Corporations and Charities Filing System, creating and maintaining an “Active” business with a State Uniform Business Identification (UBI) and Federal Employer Identification Number (EIN).

Staff response regarding above comment,

The County does not require business licenses that is left up to the State to determine and that is why we reference the RCW rather than spelling out the specifics of that requirement.

a. Extinguisher(s) shall be serviced annually by a firm licensed in the State of Washington.

(k) Property management plan shall be posted in a conspicuous location within the short-term ~~vacation~~-rental and shall contain all elements outlined in MCC 17.100.060(c)(4)

Revisions suggested for 17.100.060

Will H. – Delete entire section

Revisions suggested for 17.100.060
Will H. – Delete entire section
Staff response regarding above comment,

In this case deleting the requirement to have permitting for STRs is commensurate with establishing a code without any funding, staffing, enforcement, etc.

17.100.060 Permitting Short-Term ~~Vacation~~-Rentals

All newly established short-term ~~vacation~~-rentals shall require a land use permit as of [date of adopted ordinance]. The permit shall be issued by the Community Development Director or their designee.

(a) The Issued Permit shall contain the following information:

Revisions suggested for 17.100.060 (a)(1)

Brad C. – Delete “contact information”

(1) Permit holder’s name and contact information (phone, email, and address)

Revisions suggested for 17.100.060 (a)(2)

Brad C. – Replace “Operator” with “Owner/operator, or an authorized agent”

~~(1)~~(2) Operator contact information (phone, email, and address)

~~(2)~~(3) Permit number

~~(3)~~(4) Type of Short-Term ~~Vacation~~-Rental and Occupancy limit

~~(4)~~(5) Short-term ~~vacation~~-rental site address

~~(5)~~(6) Dates the permit is valid

Revisions suggested for 17.100.060 (a)(6)(A)

Brad C. – Replace “(January 1st through December 31st)” with “permit issuance date through one year later”.

(A) Permits issued for a short-term ~~vacation~~-rental use shall be valid for one calendar year (January 1st through December 31st).

Brad C. – Replace “(January 1st through December 31st)” with “permit issuance date through one year later”.
Staff response regarding above comment,

Not recommending this suggestion.

The purpose for the sections regarding permitting windows for new and renewal permits for the following year was to provide applicants with predictability and departments with windows of expected increase in inspection load. If all permits are valid from January 1st through December 31st it provides a predictability to the permitting process and fewer issues with disputes over permit validity.

Revisions suggested for 17.100.060 (a)

Brad C. – Add “(B) For permit renewals, a 60-day permitting window, for permits that would be valid for the next year.”

(b) Notification

Revisions suggested for 17.100.060 (b)

Jeff C. – Notification should be attached to the County’s existing “Taxsifter Database” for public access to review.

Brad C. – Delete “numbers” in (1) and (2)

(1) Valid short-term ~~vacation~~-rental permit numbers shall be posted in all advertisements of the rental.

(2) Valid permit numbers shall be conspicuously posted within the short-term ~~vacation~~-rental.

Revisions suggested for 17.100.060 (2)

Brad C. – Replace “300” with “1500”

Jeff C. – Notify only adjacent parcels

~~(2)~~(3) Applicants for permits shall notify neighbors within 300 feet of the short-term ~~vacation~~-rental with the information contained within a valid issued permit as outlined in (a) above.

(A) The 300-foot measurement shall be measured from the parcel lines that contain the short-term rental use.

Revisions suggested for 17.100.060

Jeff C. – Should be handled the same way SEPA’s are handled.

(B) An affidavit of notification shall be notarized and returned to the Department **within twenty-one (21) days of permit issuance.**

Revisions suggested for 17.100.060 (b)(2)(B)(i.)

Jeff C. – Delete a. below “Failure to return the affidavit of notification will result in a violation of the short-term rental code.”

(i.) Failure to return the affidavit of notification will result in a violation of the short-term rental code.

Brad C. – *Replace “300” with “1500”*

Staff response regarding above comment,

300 feet for notification radius is already established within Mason County Code. Permits that require a higher level of review only require the 300 feet. There are some County’s with a wider radius, i.e. 500 feet, but staff has not come across a notification range of the suggested extent, especially for a permit that would be administrative. Staff believes 1500 feet is excessive.

Jeff C. – *Should be handled the same way SEPA’s are handled.*

Staff response regarding above comment,

Additional clarification needed.

SEPA notification is administered prior to the “land use” permit being issued. Are you suggesting that notification be sent to the adjacent home owners prior to permit issuance? If that is the suggestion, there could be issues with this since the permit is administrative and as long as the applicant can meet the standards and permitting requirements, staff has no impediment to issuance.

Revisions suggested for 17.100.060

Jeff C. – How does the County handle existing motels & etc./non STRs?

Jeff C. – *How does the County handle existing motels & etc./non STRs?*

Staff response regarding above comment,

Zoning must be appropriate, i.e. Rural Commercial, Rural Tourist, etc.

(c) Application Requirements

- (1) Applicants for short-term ~~vacation~~ rentals shall apply for a land use permit on forms provided by the County.
- (2) Applications shall be complete and accompanied by any required supporting documentation, property management plan and fees.
- (3) Fees associated with the initial issuance of a permit, renewal, and any required inspections shall be maintained on the County’s current applicable fee schedules.

Revisions suggested for 17.100.060(c)

Randy L. – Change (4) to (6) and insert

“(4) The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.”

“(5) Refer to 17.100.090 ~~Revocation~~ Violations and Enforcement”

Randy L. – Change (4) to (6) and insert

“(4) *The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.*”

“(5) *Refer to 17.100.090 Revocation Violations and Enforcement*”

Staff response regarding above comment,

If we want to highlight the responsibility of the owner/operator if a tenant violates, this would be a more general statement that includes all rules and standards and doesn’t specify one over the other.

Staff is suggesting “(5)” be changed to a sub-point of “(4)”.

- (4) A property management plan shall be submitted by the applicant in addition to all other application requirements and shall contain the following:

(A) Rules of Conduct

(i) Rules shall include, but are not limited to, noise, quiet hours, trespassing, pet management, permitted parking locations, and litter.

a. Quiet hours should be observed after 10pm and before 7am.

Brad C. – add “1. *The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.*”

Add “2. *Refer to 17.100.080 Revocation Violations and Enforcement*”

Staff response regarding above comment,

Please refer to staff comment above regarding “shellfish” harvesting. Same would apply here. If this language is desired, I would suggest it be placed where Mr. Lewis indicated rather than under only certain rules/standards.

Revisions suggested for 17.100.060 (c)(6)(A)(i)a.

Brad C. – add “1. The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.”

Add “2. Refer to 17.100.090 ~~Revocation~~ Violations and Enforcement”

(i)b. Waste originating from short term rental guests and their pets should be properly disposed of in the appropriate receptacles and should not be left on beaches, tidelands, easements, and common areas used by multiple property owners or the public.

- (B) Short Term Rental street address.
- (C) Site plan with property boundary lines, easements, beach access (if any).
- (D) Floor plan with fire escapes, ~~and~~ escape routes, and fire extinguisher(s) locations.
- (E) Local emergency numbers, including but not limited to MACECOM, Burn ban Hotline, and WDFW.
 - (i) If local burn ban is in place, a copy of the press release with details of the ban stipulations shall be placed within the property management plan and posted near or on egress doors.
- (F) Max occupancy limits
- (G) Max number of vehicles allowed on site
- (H) Waste pick-up schedule and location of waste receptacles.
- (I) Short-Term ~~Vacation~~ Rental Owner and Operator contact information

Revisions suggested for 17.100.060 (c)(6)

Brad C. – add above “consistent with RCW 64.37.030 Consumer Safety”

(5) Prior to ~~initial~~ permit issuance a fire, ~~safety~~, health and building code compliance inspection shall be required and performed by the designated County officials or designee.

~~(5)(A)~~ An Operation and Maintenance inspection performed by a certified O & M special shall be completed prior to short term rental permit submittal or record of a satisfactory Operation and Maintenance inspection, on file with the County within the last one to three years, depending on system, shall satisfy this requirement.

(B) Failing onsite septic systems shall be repaired prior to the applicant submitting for a short term rental permit.

(i) Permitting the repair shall be done through the Mason County Environmental Health Department.

(C) Fire and building code compliance inspection shall be scheduled with the Department prior to permit issuance. Failure to comply with the requirements of the short term rental, fire, and building code may result in re-inspection.

(i) Re-inspection fees shall be per the County’s applicable fee schedule.

~~(i)(ii)~~ Short term rental permit issuance may be delayed or denied if requirements of this chapter are not met.

(d) Short-Term ~~Vacation~~ Rental Permit Renewal

(1) Application for renewal shall occur annually and at least 60 days prior to the short-term ~~vacation~~-rental permit expiration.

Revisions suggested for 17.100.060 (d)(1)(D)

Brad C. – Replace “September 1 – October 31” with “two months prior to permit expiration”.

(D) The Department will accept renewal applications September 1 – October 31.

(2) Renewal fees shall be per the County’s applicable fee schedule.

(3) Renewal of an existing permit may require a self-certification form addressing fire, safety, and health code requirements.

(A) Random auditing of self-certification may occur and shall require employees of Mason County to access the property and structure(s) described in the renewal permit for the purpose of inspection.

(e) New Short-Term Rental Permits

Revisions suggested for 17.100.060(e)(1)
Brad C. – Replace “shall occur June 1 – July 31st” with “may be submitted any month of the year.”

(1) Application for new short term rental permits shall occur June 1 – July 31st.

Revisions suggested for 17.100.060(e)(2)
Brad C. – Replace “shall be valid starting January 1st “ with “ may take up to sixth months to issue the STR permit”

(2) Issued new short term rental permits shall be valid starting January 1st .

Revisions suggested for 17.100.070
Will H. – Delete entire section

17.100.070 Existing Short-Term ~~Vacation~~ Rentals

(a) Permitting is required for all short-term ~~vacation~~-rentals in the County. If a rental existed prior to the establishment of this Ordinance, it shall be considered lawfully established if the owner provides proof of the following:

(1) The rental operator must have proof that the site address was the location of the rental and that applicable sales and lodging taxes pursuant to RCW 64.37 were remitted to the authorized collector between July 28, 2019 and [the date of this Ordinance].

Revisions suggested for 17.100.070(a)(2) and 17.100.070(a)(3)
Brad C. – insert “60” to “days from date of Ord adoption”. Same suggestion for 17.100.070(a)(3)

(2) Obtain a short-term ~~vacation~~-rental land use permit within [# days from date of Ord adoption]

Brad C. – Replace “September 1 – October 31” with “two months prior to permit expiration”. (previous page of this document)
Replace “shall occur June 1 – July 31st” with “may be submitted any month of the year.”
Replace “shall be valid starting January 1st “ with “ may take up to sixth months to issue the STR permit”
Staff response regarding above comment,
The purpose for the sections regarding permitting windows for new and renewal permits for the following year was to provide applicants with predictability and departments with windows of expected increase in inspection load and to offset the work between processing new and renewals.

Brad C. – insert “60” to “days from date of Ord adoption”. Same suggestion for 17.100.070(a)(3)
Staff response regarding above comment,
This is where a provisional permit may be appropriate within (60) days of Ordinance adoption, with a “full” permit issuance once all requirements of a “new” permit are met.

(3) All operation standards shall be met within [# _____ days from date of Ord adoption]

Revisions suggested for 17.100.070(a)(4)

Brad C. – “The County requires any existing zoning, land use, or building permit violations to be resolved prior to new short term vacation rental permitting, and for existing non-conforming STRs a provisional permit may be issued with a specified grace period to rectify violations. No additional permitting is allowed after that date. But director may extend the provisional 6 months if a “good faith” effort can be shown.”

(4) Any existing County code violations on the subject property found to have occurred as of July 28, 2019 shall be resolved prior to permit issuance.

Revisions suggested for 17.100.070(a)(4)

Brad C. – add “(b) The County shall implement limits on numbers, limits in areas, limits in proximity to other STRs,

Revisions suggested for 17.100.080(a)

Will H. – delete “and issued permit”

~~(b) An existing short-term vacation rental shall be considered non-conforming as of [date of this Ordinance] if the rental does not conform to the standards of section MCC 17.100.050.~~

17.100.080 Complaint Procedures

(a) All complaints shall first be addressed with the short-term rental operator designated within the property management plan and issued permit.

Revisions suggested for 17.100.080(b) an 17.100.080(c)

Will H. – Replace (b) and (c) with “(b) If a complaint is not adequately addressed by the property owner/management, then the appropriate Mason County office should be contacted to address the situation.”

(b) If a complaint regarding operation standards or permitting, as herein described, is not resolved by the operator within a reasonable amount of time per MCC 17.100.050(g), the complainant may then provide the complaint to the Mason County Department of Community Development [method of providing complaint...3rd Party consultant/hotline/online form/in writing]. The complaint shall identify the informal attempts made to rectify the situation.

Brad C. – “The County requires any existing zoning, land use, or building permit violations to be resolved prior to new short term vacation rental permitting, and for existing non-conforming STRs a provisional permit may be issued with a specified grace period to rectify violations. No additional permitting is allowed after that date. But director may extend the provisional 6 months if a “good faith” effort can be shown.”

Staff response regarding above comment,

Not recommending this suggestion.

Staff is still suggesting the violations found to have occurred as of the July 28, 2019 date. If there are existing violations that are documented with the County prior to that date then resolving those issues prior to full permit issuance would be priority. But as the PAC member suggestion is worded, it implies that the County would be looking for any kind of violation back to an undefined date.

Brad C. - add “(b) The County shall implement limits on numbers, limits in areas, limits in proximity to other STRs.

Staff response regarding above comment,

Not recommending this suggestion.

The BOCC did not express a desire to put limits on any of the above areas suggested. This would require a complete redraft of the code if this was desired.

- (c) The Director or designee will investigate the complaint, and if deemed an operation standards or permitting violation, shall issue a notice of violation to the permit-holder per the enforcement procedures authorized in MCC 15.13. If the violation is beyond the scope of the code enforced by the Community Development Department, but still a violation of the Mason County Code the Director or designee shall forward the complaint to the appropriate department for review.

Revisions suggested for 17.100.090

Will H. – Delete entire section

Jeff C. – There is a violations and enforcement section dealing with complaints prior to the section 17.100.090 on Violations & Enforcement and that these 3 sections need to go in a complaints portion of Violations and enforcement on pages 7 & 8 of 8. (Staff note: Scrivner error the Violations and Enforcement section should be 17.100.090 and page numbers referenced are different for the purposes of the discussion document).

17.100.090~~17.100.080~~ **Revocation** Violations and Enforcement

- (a) The Director or designee ~~shall~~ may revoke a short-term ~~vacation~~-rental permit if three (#3) violations occur within 12 months-, the short-term ~~vacation~~-rental owner shall not ~~obtain~~ apply for a new short-term ~~vacation~~-rental permit sooner than one (1) year from the date of revocation and must reapply for a new short term rental permit within the applicable permitting window.-

(1) Violations shall be assessed per property and per violation type within a 12-month period.

(2) The penalties for violations of this chapter are outlined as follows: _____

Revisions suggested for 17.100.090 (a)(2)(A), 17.100.090(a)(2)(B), and 17.100.090(a)(2)(C)

Jeff C. – (A) “The first violation shall be a fine of \$350.” (B) “The second violation shall be a fine of \$1000.” (C) “The third violation shall be a fine of \$3000 and/or revocation of an issued short term rental permit.”

(A) The first violation shall be a warning by an authorized official of the County.

(B) The second violation shall be a fine of \$350.

(C) The third violation shall be a fine of \$1000 and/or revocation of an issued short term rental permit.

(D) If the short-term rental continues to operate after revocation of the permit, the violation shall be punishable under Title 15 and may require a hearing before the hearing examiner.

- (b) All violations of the short-term ~~vacation~~-rental ordinance must be rectified, and the complaint(s) closed with the County prior to the issuance of a new short-term ~~vacation~~-rental permit or renewal of a permit.-
- (c) Appeals of the revocation of the permit shall be pursuant to the appeals process outlined in MCC 15.11.