

ORDINANCE NO. 24-17

AN ORDINANCE ESTABLISHING A TEMPORARY LAND USE REGULATION
PURSUANT TO UTAH CODE ANNOTATED SECTION 10-9A-504 RELATING
TO SHORT TERM RENTALS.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

PREAMBLE

Section 10-9a-504 of the Utah Code Annotated grants the City authority to enact an ordinance establishing a temporary land use regulation for all of the area within the City without prior consideration or recommendation from the Planning Commission for a period not to exceed six (6) months.

The popularity of short-term rentals has grown significantly across the country and reportedly in the City over the last decade. With this rapid growth, the City Council ("Council") is concerned with short term rentals within the City that are operating without licenses or are not being regulated in any way. In addition, the Council is interested in addressing how to best manage the consequences of short-term rentals operating within the City. While some of these consequences may be positive, there are also many potential issues and negative side-effects that the Council desires to mitigate by adopting sensible regulations.

While the Council is aware that there are certain benefits to individual citizens and to communities associated with short-term rentals, the Council is equally aware that many of the potential adverse effects of short-term rentals are borne by the nearby neighbors and surrounding communities which may not be receiving any of the positive benefits. Unregulated short-term rental use within the City can lead to increased traffic from renters that has the potential to slowly transform peaceful residential communities into tourist communities which lack a feeling of "community". Short-term renters may not always know (or follow) local rules, resulting in increased public safety risks, noise or nuisance complaints, or trash and parking problems for other nearby residents. The conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters in the community.

The Council has serious concerns that the lack of more specific rules and regulations make it difficult to address the impacts caused by short-term rentals throughout the City. Regulating short-term rentals is a complex and time-consuming task. Balancing the interests of homeowners and residents while ensuring compliance and fair enforcement, as well as implementing effective regulations to address rapidly evolving concerns around safety, licensing, taxation, zoning, and neighborly conduct as it relates to short-term rentals requires careful planning and resources.

The Council has determined it is in the best interest of the City, in the protection of public health, safety and welfare, to allow City staff time to gather information and consider the relevant issues concerning short-term rentals in order to consider if additional regulations are necessary and appropriate and to determine the best possible approach for such regulation under the Constitution of the United States and the laws of the State of Utah.

In order to preserve the status quo pending further analysis of the regulation of short-term rentals, the Council has determined that a six-month temporary moratorium should be imposed upon the issuance of any land use or other required approvals ("approvals") for the establishment of short-term rentals.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to establish a temporary land use regulation prohibiting the issuance of any approvals for the establishment of short-term rentals.

Section 2. That there be and hereby is imposed for a period not to exceed one hundred eighty (180) days from the effective date of this ordinance a moratorium upon the issuance of approvals for the establishment of short-term rentals. The City shall not accept, process or approve any application related to the operation of any proposed short-term rental.

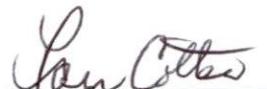
Section 3. That during the one hundred eighty (180) day temporary land use regulation period, the City staff shall work to develop and present to the City Council a proposed ordinance or ordinances regulating short-term rentals and present to the City Council in sufficient time that the ordinance(s), if adopted, may take effect prior to the expiration of the one hundred eighty (180) day temporary land use regulation.

Section 4. In order to protect the public health, safety, and welfare and allow sufficient time to implement the policy goals and objectives of the City as more fully described above, the Murray City Municipal Council hereby expressly invokes the Pending Ordinance Doctrine with respect to this Temporary Land Use Regulation.

Section 5. Effective date. This Ordinance shall take effect July 23, 2024.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 23rd day of July 2024.

MURRAY CITY MUNICIPAL COUNCIL


Pam Cotter, Chair



ATTEST:



Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this 30th day of July, 2024.

MAYOR'S ACTION: Approved

DATED this 30th day of July, 2024.



Brett A. Hales, Mayor

ATTEST:



Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the 30th day of July, 2024.



Brooke Smith, City Recorder