



*Las Vegas*

Agenda Item No.: 61.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 5, 2008**

DEPARTMENT: CITY ATTORNEY  
DIRECTOR: BRADFORD R. JERBIC

Consent  Discussion

SUBJECT: **RECOMMENDING COMMITTEE: ELIGIBLE FOR ADOPTION AT THIS MEETING**

Bill No. 2008-14 Allows short-term residential rentals in residential districts as a conditional use. Proposed by Bradford R. Jerbic, City Attorney

**Fiscal Impact**

- No Impact  Augmentation Required  
 Budget Funds Available

**Amount:**  
**Funding Source:**  
**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will allow short-term residential rentals in residential districts as a conditional use, with a specification of the conditions under which the use will be allowed. Ordinance No. 5943, adopted in November, expressly prohibited such rentals. This bill is brought forward in response to concerns expressed by owners and representatives of such rentals.

**RECOMMENDATION:**

ADOPTION at 3/5/2008 City Council meeting pursuant to the 3/4/2008 Recommending Committee.

First Reading 2/20/2008; First Publication 2/23/2008

**BACKUP DOCUMENTATION:**

Bill No. 2008-14

Motion made by LOIS TARKANIAN to Approve as First Amendment

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0  
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-RICKI Y. BARLOW); (Excused-None)

Minutes:

Second reading and bill adopted as a First Amendment as Ordinance No. 5977. Clerk to proceed with second publication.

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CARRIE DEMATIA requested that the ordinance not be amended and described how a neighboring rental property was negatively impacting her quality of life.

JOHN PALMER, Las Vegas Retreats, thanked the Council, especially naming COUNCILWOMAN TARKANIAN, for working with the short-term rental industry and suggested posting the short-term rental regulations inside the rental to ensure the renters were fully aware what is allowed.

CITY ATTORNEY BRAD JERBIC informed COUNCILWOMAN TARKANIAN that posting the regulations is legally possible and noted that under the current version of the ordinance, it would be the property management's responsibility to inform renters. He also listed other methods of informing the renters.

COUNCILMAN WOLFSON supported MR. PALMER'S suggestion and CITY ATTORNEY JERBIC stated the suggestion could be enforced and described several methods for posting the regulations.

COUNCILMAN REESE requested clarification of how the neighbors would be notified regarding short-term rentals in their neighborhood. COUNCILMAN WOLFSON explained that when this Special Use Permit is requested, the Councilperson of that particular Ward would be notified. Then the individual Councilperson would have the opportunity to inform the neighbors.

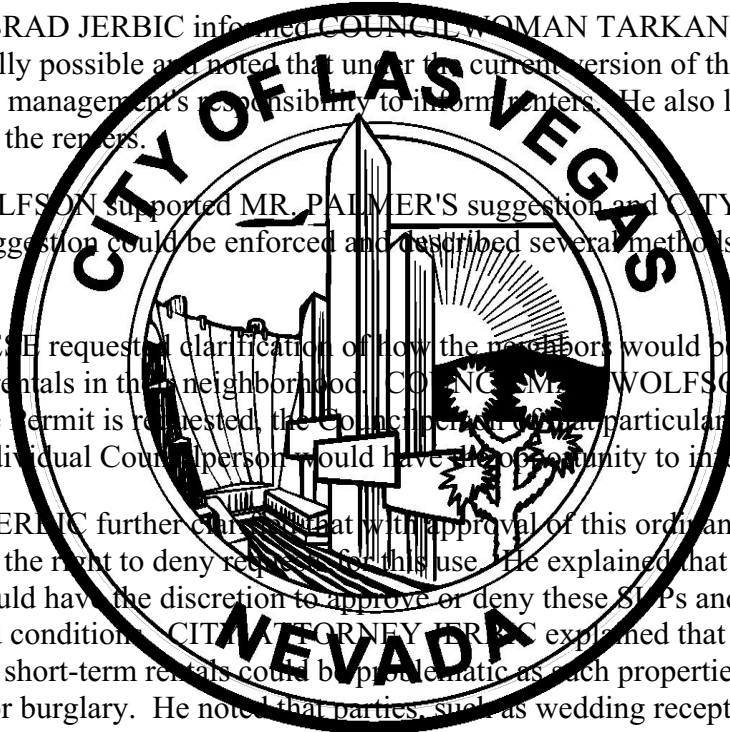
CITY ATTORNEY JERBIC further clarified that with approval of this ordinance, the Council would no longer have the right to deny requests for this use. He explained that the Director of Business Services would have the discretion to approve or deny these SLPs and he would also have the ability to add conditions. CITY ATTORNEY JERBIC explained that public notification regarding short-term rentals could be problematic as such properties might become targets of vandalism or burglary. He noted that parties, such as wedding receptions, would be prohibited under the ordinance.

COUNCILMAN WOLFSON stressed that the amendment was an attempt to put teeth into the ordinance and he read from the ordinance in an attempt to address MS. DEMATIA'S concerns.

COUNCILWOMAN TARKANIAN concurred with COUNCILMAN WOLFSON'S comments and added that a total ban on short-term rentals has proven not to work. She stated this ordinance was the City's best effort to address short-term rentals and she stressed that the ordinance would be reviewed if it was not successful.

CITY ATTORNEY JERBIC noted that the City would not actively enforce this ordinance and enforcement would depend on the Metropolitan Police Department.

COUNCILMAN WOLFSON assured MS. DEMATIA that he would work with her to monitor and regulate the short-term rentals in her neighborhood. COUNCILMAN WOLFSON added that private parties by a property owner would still be permitted. He also thanked everyone for participating in the process.



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MICHELLE PUMBO, Southwest Management Group, pointed out the proposed ordinance gives the City more enforcement power and information than it had before. She expressed her support, stating she hoped the ordinance would stop the rogue companies and would help all the concerned parties. She concluded by thanking everyone involved in this ordinance for all their hard work.

CHERYL TARANTINO, President of Executive Locations, underscored the difference between party homes and her industry, noting this ordinance would give the City the ability to punish and remove non-conforming short-term rentals. She pointed out that she as a business owner is also concerned with property values and stated that the short-term rental industry is a thriving, professional industry.

ANTHONY HODGES, 127 Sir David Way, suggested the wording of the contract was problematic and notification of the short-term rentals was the main priority.

In response to COUNCILWOMAN TARKANIAN'S inquiry, CITY ATTORNEY JERBIC stated that enforcement would depend on each property's management company and that concerned neighbors could call Code Enforcement regarding party houses or problematic short-term rental properties.

COUNCILWOMAN TARKANIAN suggested that the fees generated by these SUPs be used to meet the cost of enforcement.

CITY ATTORNEY JERBIC suggested an amendment to the ordinance to incorporate MR. PALMER'S suggestion regarding the posting of the contract, the permit and its conditions on the premises. MR. PALMER suggested that the posting of the contract might be unnecessary.

JIM DiFIORE, Director of Business Services, pointed out the permit would contain all of the conditions placed on the SUP. COUNCILMAN WOLFSON supported an amendment which would require the posting of the permit and all its conditions.

COUNCILWOMAN TARKANIAN gave a brief history of the development of this ordinance, acknowledging the hard work by the City, the short-term rental industry and concerned neighbors, thanking each for their efforts. She explained the ordinance was an attempt to prohibit non-conforming short-term rentals while allowing legitimate uses to continue.