



## 2019 Nightly Rental Application Process Step by Step Information Brian Head Town, Utah

### BRIAN HEAD TOWN'S NIGHTLY RENTAL LICENSING HAS CHANGED AS OF JULY 8, 2019

On July 8, 2019, the Brian Head Town Council adopted a revision to the Nightly Rental Licensing Code. This change took effect July 9, 2019 and listed below is the information regarding the changes and application process.

### APPLICATION & REVIEW PROCESS

1. The Town has drafted a new nightly rental license application. This application has information specific to nightly rental businesses. Those who are renting on their own and rental management companies please use this application form when applying a nightly rental business license for the renewing for the 2019/20 licensing season.
2. The owner or rental management company will need to know the following information when completing an application for nightly rentals:
  - a. **Owner information** is required regardless if a rental management company is operating the nightly rental or not.
  - b. **Physical address** of the rental property. If rental is a condo, please ensure the condo complex and unit # is listed on the application.
  - c. **Number of bedrooms** in cabin / condo. This information is used for the Transient Room Capacity Reports the Town is required to complete.
  - d. **Cabins or Single Family Residential Only: Identify number of parking spaces on-site.** The owner or rental management company will determine the number of parking spaces on-site. Please note, the rental property must be able to park vehicles on the property during the winter season. The Town adopted a new code relating to on-street parking in which no parking is allowed on any town road/street between November 1<sup>st</sup> through April 30<sup>th</sup>. If vehicles are parked on town roads/streets, the vehicle may be cited and/or towed. The Town has provided an overnight parking map identifying where vehicles may park and is part of the Good Neighbor Policy.
  - e. **Cabins or Single-Family Residential Only: Post Occupancy** limits for cabin. The owner or rental management company must post the maximum occupancy limit for their cabin. The calculation is based off the Fire Code of one (1) person per 200 square feet. As part of the application process, the owner/rental management company must identify the square footage on the application and is part of the fire inspection.
  - f. **Good Neighbor Policy:** Both condos and cabins must post a Town approved Good Neighbor Policy and it must be posted near the main entry way and visible at all times. As part of the Good Neighbor Policy, the overnight parking map should be attached.
  - g. **Fire Inspections:** The Town will be conducting an initial fire inspection on all nightly rentals regardless of when the last fire inspection was completed. This will happen over the course of two years. There is a \$30 fee per unit for the inspection. After the initial fire inspection, a fire inspection is required biennially (once every two years). The Fire Inspection Requirements have been updated, so please ensure

you have the updated copy and please make sure you have all items ready for inspection before the inspection is scheduled.

- h. **Dedicated Responsible Party:** The owner can designate a local contact which can be their cleaning company, property manager or rental management company or themselves.
  - i. **Sales Tax Number:** The owner or rental management company must provide a sales tax ID# as part of their application. The number must be specific to Brian Head in the collection of sales and transient room taxes. No license will be issued without a sales tax ID.
  - j. **Owner Affidavit:** This is new to the licensing process. The owner must sign the Owner Affidavit even if a rental management company is operating the rental on behalf of the owner. The Affidavit states the owner is aware of the Town ordinances regulating nightly rentals and the owner can identify a rental management company to operate their nightly rental on their behalf. No license will be issued without the Owner Affidavit.
  - k. **Advertising platforms:** Airbnb collects the state taxes but does not collect the Brian Head Enhanced Service Business License Fee (shuttle fee). All other advertising companies such as VRBO, Flipkey, etc. do not collect sales taxes on behalf of the owner and it is the owners/rental management companies responsibly to submit reports to the State Tax Commission. The Enhanced Service Business License Fee is 1.5% of the taxable sales and is paid directly to the Town on a quarterly basis. All reports are due 30 days after the ending of the quarter. Those who have zero sales are still required to submit a report indicating zero sales. Licenses may be held-up, suspended or revoked if the enhanced fee reports are not submitted.
  - l. **Please identify the cleaning company** for your nightly rental. All cleaning companies operating in Brian Head are required to hold a valid business license. If you are cleaning the unit yourself, please indicate so.
3. Please submit your application prior to your fire inspection. You can pay for your fire inspection along with your application at the same time. This will give the Town Clerk the notification that a license is to be processed. When scheduling your fire inspection with the Town Clerk, please make sure you have all the items ready for inspection.
  4. Once the nightly rental application is submitted and the fire inspection completed, staff will review the information and process the application for a business license.
  5. All licenses will automatically expire September 30<sup>th</sup> annually. The new licensing season begins October 1<sup>st</sup> and a renewal notice will be sent in September reminding businesses to renew their license. If a business is no longer operating, please notify the Town Clerk.

If you have additional questions regarding the nightly rental application process, please review the Frequently Asked Questions, or call 435-677-2029 and speak with the Town Clerk or email at [nleigh@bhtown.utah.gov](mailto:nleigh@bhtown.utah.gov).