

ORDINANCE NO. 611

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING SUBSECTION 3.25.050(G) OF THE LA QUINTA MUNICIPAL CODE RELATED TO SHORT-TERM VACATION RENTALS REGARDING WRITTEN NOTICE AND DECLARATION OF NON-USE

WHEREAS, Chapter 3.25 of the La Quinta Municipal Code (LQMC) relates to short-term vacation rentals (STVRs), including permitted uses, STVR processes and permitting procedures, requirements, violations, fines, and other specific provisions, including (as relevant here) the ability for an owner, owner's authorized agent or representative, or owner's designated local contact person to voluntarily "opt-out" of the requirements of Chapter 3.25 after having received and holding an active STVR permit; and

WHEREAS, the City has the authority to regulate residential uses, including STVR uses, operating within the City; and

WHEREAS, the proposed amendment to Subsection (G) of Section 3.25.050 – "Short-term vacation rental permit – Required" – streamlines the requirements and aligns the code with existing practices.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. Subsection (G) is of Section 3.25.050 – Short-term vacation rental permit – Required of the La Quinta Municipal Code shall be amended as written in "Exhibit A," attached hereto and incorporated herein by this reference.

SECTION 2. EFFECTIVE DATE: This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. RETROACTIVE APPLICATION: Upon the effective date of this Ordinance, the amendment to Subsection 3.25.050(G) shall be applicable from and after January 1, 2023. It is the expressed intent of the City Council by adopting this Ordinance to have the amendments enacted hereby to apply retroactively from and after the date aforementioned.

SECTION 4. POSTING: The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the permanent record of Ordinances of the City of La Quinta.

SECTION 5. CORRECTIVE AMENDMENTS: the City Council does hereby grant the City Clerk the ability to make minor amendments and corrections of typographical or

clerical errors to this ordinance to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 6. SEVERABILITY: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.


PASSED, APPROVED and ADOPTED, at a regular meeting of the La Quinta City Council held this 19th day of March 2024, by the following vote:

AYES: Councilmembers Fitzpatrick, McGarrey, Peña, Sanchez, and Mayor Evans

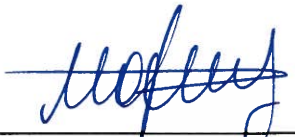
NOES: None

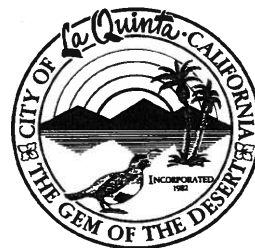
ABSENT: None

ABSTAIN: None


LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:


MONIKA RADEVA, City Clerk
City of La Quinta, California



APPROVED AS TO FORM:


WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

EXHIBIT A

3.25.050 Short-term vacation rental permit – Required.

...

- G. An owner or owner's authorized agent or representative who claims not to be operating a short-term vacation rental unit or who has obtained a valid short-term vacation rental permit and business license pursuant to this chapter, may voluntarily opt-out of the requirements of this chapter, prior to the issuance or expiration of a short-term vacation rental permit and business license that are applicable to the short-term vacation rental unit, only upon the owner, the owner's authorized agent or representative and/or the owner's designated local contact person submitting a written request or executing, under penalty of perjury, a declaration of non-use as a short-term vacation rental unit, in a form prescribed by the city (for purposes of this chapter, a "declaration of non-use"). Upon the receipt and filing with the city a written request or a fully executed declaration of non-use, the short-term vacation rental permit and business license shall be closed and the owner or owner's authorized agent or representative shall be released from complying with this chapter as long as the property is not used as a short-term vacation rental unit. Use of the property as a short-term vacation unit after the city's receipt and filing of a written request or a declaration of non-use is a violation of this chapter. If, after a written notice or a declaration of non-use has been received and filed with the city, the owner or owner's authorized agent or representative wants to use that property as a short-term vacation rental unit, the owner may apply for a new short-term vacation rental permit and business license only after twelve (12) consecutive months have elapsed from the date of the city's receipt of the written notice or the declaration of non-use, and the owner and owner's authorized agent or representative otherwise shall fully comply with the requirements of this chapter and the code.

(STATE OF CALIFORNIA)
(COUNTY OF RIVERSIDE) ss.
(CITY OF LA QUINTA)

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 611 which was introduced at a regular meeting on the 5th day of March, 2024, and was adopted at a regular meeting held on the 19th day of March, 2024, not being less than 5 days after the date of introduction thereof.

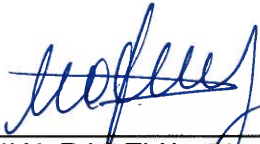
I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2022-027.



MONIKA RADEVA, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on the 20th day of March 2024, pursuant to Council Resolution.



MONIKA RADEVA, City Clerk
City of La Quinta, California