

2026 SHORT-TERM RENTAL CODE UPDATES

The Flagstaff City Code, Title 3 Business Regulations, Chapter 3-12 Short-Term Rentals is hereby amended by amending Sections 3-12-001-0004 License Application, 3-12-001-0007 Prohibited Uses, 3-12-001-0008 Advertisements, 3-12-001-0009 Posting on the Property, 3-12-001-0010 Neighbor Notifications, and adding new sections 3-12-001-0011, 3-12-001-0012, and 3-12-001-0013 to read as follows (additions are shown in capitalized, underlined text, and deletions are shown as stricken):

CHAPTER 3-12 SHORT-TERM RENTALS

SECTIONS:

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3-12-001-0001 PURPOSE

The purpose of the short-term rental (STR) regulations is to protect the health, safety, and welfare of the community and visitors. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0002 DEFINITIONS

For purposes of this chapter:

"City business day" means a day that City Hall is open for business.

"Emergency point of contact" means the owner or individual designated by the owner to: (1) serve as the local twenty-four (24) hour emergency point of contact for the short-term rental; and (2) respond to complaints and emergencies relating to the short-term rental in a timely manner.

"Nonresidential use" means any use that is not permitted in a residentially zoned district of the City.

"Online lodging marketplace" has the same meaning prescribed in A.R.S. Section [42-5076](#) and generally means a person that provides a digital platform for compensation through which an unaffiliated third party offers to rent lodging accommodations in this State to an occupant, including a transient.

"Online lodging operator" has the same meaning as prescribed in A.R.S. Section [42-5076](#) and means a person that is engaged in the business of renting to an occupant, including a transient as defined in A.R.S. Section [42-5070](#), any lodging accommodation in this State offered through an online lodging marketplace.

"Owner" means any person who, alone or with others, has title or interest in a property, dwelling unit, or portion thereof, with or without actual possession of the short-term rental.

"Owner's designee" means any person or persons with the charge, care, or control of any property, dwelling unit, or portion thereof and includes the "emergency point of contact."

"Person" means any individual, public entity, firm, corporation, partnership, limited liability company, trust, association, or any other entity of any kind.

"Short-term rental" or "STR" means:

A. Any individually or collectively owned single-family or one (1) to four (4) family house or dwelling unit, accessory dwelling unit, or any unit or group of units in a condominium or cooperative that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. Section [42-12001](#). A short-term rental shall also include a dwelling unit in a multiple-family development offered for rent as transient lodging. Each unit that is separately leased is an STR.

B. A STR DOES NOT INCLUDE A UNIT THAT IS USED FOR ANY NONRESIDENTIAL USE, INCLUDING RETAIL, RESTAURANT, BANQUET SPACE, EVENT CENTER, OR ANOTHER SIMILAR USE, OR ANY USE THAT REQUIRES AN EVENT PERMIT OR LICENSE. A short-term rental does not include a timeshare managed pursuant to A.R.S. Section [33-2201](#) et seq.

"SPECIAL EVENT," FOR PURPOSES OF THIS CHAPTER, MEANS ANY EVENT THAT REQUIRES A TEMPORARY USE PERMIT (FOR USE OF PRIVATE PROPERTY), OR A SPECIAL EVENT PERMIT (FOR USE OF CITY PROPERTY).

"Transaction privilege tax license" is the license issued by the State of Arizona pursuant to A.R.S. Title [42](#).

"Transient" means any person who either at the person's own expense or at the expense of another obtains lodging space or use of lodging space on a daily or weekly basis, or any other basis for less than thirty (30) consecutive days.

"Verified violation" means a final adjudication finding of guilt or civil responsibility for violating any State law or City Code provision relating to a purpose prescribed in A.R.S. Section [9-500.39](#)(B) or (K) that has been finally adjudicated (a final decision of a court or administrative hearing officer with no further right of appeal).

"Written notice" includes but is not limited to a written notice sent by electronic means, United States certified mail, return receipt requested, or hand delivery to the address on file for the STR. If written notice is served by electronic means, it is deemed received on the date sent. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0003 LICENSE REQUIRED

- A. License Required. It is unlawful to rent or offer to rent a short-term rental (STR) without having first obtained a valid STR license issued under this chapter. A separate license is required for each STR.
- B. Prima Facie Evidence. Representations or advertisements including online listings that reference the property, house or dwelling unit location within the City as available for transient lodging is prima facie evidence that an owner is offering to rent or operating an STR in the City.
- C. Violations. In addition to any penalty or fine that may be imposed under Section [3-12-001-0015](#) (Penalties for Verified Violations), the owner shall immediately cease operations of the STR until a valid license is obtained. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0004 LICENSE APPLICATION

- A. License Applications. The owner of an STR shall apply for a license on an application form supplied by the City. The City Management Services Director may require use of an online licensing system. The application must be signed by the applicant and shall contain the following information:

1. The physical address of the STR property.
 2. The name, address, email address, and telephone number of the owner of the STR. If the property owner is an entity, the legal name of the entity and its state of incorporation. The owner's email address and telephone number will not be public information when the owner is not the emergency point of contact, unless disclosure is required by law.
 3. The name, address, email address, and telephone number of the owner's designee, if any.
 4. The name, address, email address, and twenty-four (24) hour telephone number of the individual who will serve as the emergency point of contact. The emergency point of contact shall be public information.
 5. The transaction privilege tax ("TPT") license number issued for the STR by the State of Arizona, including the location code (where applicable).
 6. A statement that the owner acknowledges and agrees that the owner shall comply with all applicable laws, regulations, and ordinances in operating the STR.
 7. A statement that the owner and each owner designee is not a registered sex offender, has not been convicted of any felony act that resulted in death or serious physical injury, and has not been convicted of any felony use of a deadly weapon within the past five (5) years.
 8. A statement that the owner shall timely complete the neighborhood notification required under Section [3-12-001-0010](#). AND PROVIDE: (1) THE COMPLETE ADDRESS OF EACH PROPERTY TO BE NOTIFIED; (2) THE MANNER IN WHICH THE OWNER WILL PROVIDE WRITTEN NEIGHBORHOOD NOTIFICATION.
109. A license fee in the amount established in Chapter [3-10](#), User Fees. The license fee is nonrefundable, shall not be prorated, and is for an entire year, regardless of whether or not the STR is operated for an entire year.
1140. Proof of lawful presence in the United States in accordance with A.R.S. Sections 1-502 and 41-1080, unless exempted by A.R.S. Section [41-1080\(B\)](#).
1244. The application may request that the owner of the STR voluntarily indicate whether the STR is owner occupied.

B. License Approval. The City shall promptly issue or deny an STR license after receipt of a complete application.

C. License Denial. The City may deny an STR license for any of the following reasons:

1. The applicant failed to provide the required application information;
2. The applicant failed to pay the license fee;
3. The applicant provided false information;
4. The owner or owner's designee: (a) is a registered sex offender; (b) has been convicted of any felony act that resulted in death or serious physical injury; or (c) has been convicted of any felony use of a deadly weapon within five (5) years of submitting the application; or
5. At the time of application, the owner has a suspended license for the same STR.

D. Notice of Denial and Appeals. City Code Compliance Manager shall give written notice of the license denial of an application to the applicant. The notice shall inform the applicant of the right to appeal the denial to the City Manager within ten (10) calendar days and request a hearing pursuant to Section [3-12-001-0017](#) (Hearing Procedures).

E. Violations. In addition to any other penalty imposed under Section [3-12-001-0015](#) (Penalties for Verified Violations), the City may impose a civil penalty of one thousand dollars (\$1,000.00) per month against the owner if the owner or owner's designee fails to apply for a license within thirty (30) days after receiving written notice of the failure to comply with licensing requirements. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0005 LICENSE TERM, RENEWAL

A. License Term. An STR license issued under this chapter shall be valid for one (1) year from the date of issuance unless suspended or revoked.

B. Renewal. The owner shall apply for an STR license renewal and pay a renewal license fee via the STR license account.

C. Nontransferable. An STR license is nontransferable and nonassignable.

D. License Information on File. The owner shall maintain current and accurate information in its online STR license account. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0006 EMERGENCY POINT OF CONTACT

A. Response Time. When requested by a police officer, the emergency point of contact must be on the STR premises, or be available over the phone or text, within sixty (60) minutes of the request related to an emergency that requires police response. For purposes of this section, an emergency includes but is not limited to securing a crime scene, cleanup of a biohazard, cleanup of hazardous materials, or any other circumstances requiring immediate action to protect public health and safety, or property.

B. Violations. In addition to any other penalty imposed under Section [3-12-001-0015](#) (Penalties for Verified Violations), the City may impose a civil penalty of one thousand dollars (\$1,000.00) against the owner for every thirty (30) days the owner fails to provide or maintain current emergency point of contact information on file with the City as required by Section [3-12-001-0004](#)(A)(4). The City shall provide at least thirty (30) days' written notice to the STR owner before imposing the initial civil penalty. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0007 PROHIBITED USES

A. Prohibited Uses. No person may use an STR for any of the following:

1. Nonresidential uses including for a special event that would otherwise require a permit or license pursuant to a City or Town ordinance or a State law or rule or for a retail, restaurant, banquet space or other similar use.
2. Housing sex offenders, sex trafficking, operating or maintaining a sober living home, selling illegal drugs, liquor control violations, producing pornography, obscenity, nude or topless dancing and other adult oriented businesses.
3. Any other use that violates applicable laws, including but not limited to local zoning, building and fire codes, CURRENT FIRE RESTRICTIONS, health and sanitation, and noise regulations.

B. AFFECT OF ACCESSORY DWELLING UNIT. THE OWNER OF A STR SHALL RESIDE ON THE PROPERTY AS THE OWNER'S PRIMARY RESIDENCE IF THE PROPERTY CONTAINS AN ACCESSORY DWELLING UNIT AND IF A CERTIFICATE OF OCCUPANCY WAS ISSUED FOR THE ACCESSORY DWELLING UNIT BY THE CITY ON OR AFTER SEPTEMBER 14, 2024.

C.B. Prima Facie Evidence. Representations or advertisements including online listings that advertise one (1) of the prohibited uses under this section OR USE IN VIOLATION OF THIS SECTION that reference an STR located within the City is prima facie evidence that an STR is operating in violation of this section.

D.G. Nothing herein shall be construed to prohibit a group home for persons with disabilities as allowed by the Americans with Disabilities Act. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0008 ADVERTISEMENTS

The owner shall display the City short-term rental license number on each advertisement for the STR. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0009 POSTING ON THE PROPERTY

The owner of the STR shall display a notice inside the STR within ten (10) feet of the primary entrance to the STR. The notice will INCLUDE THE FOLLOWING INFORMATION read as follows:

NOTICE

It is unlawful to use this property for any nonresidential use, special events that otherwise require a permit or license, retail business, restaurant, event center, banquet hall or other uses prohibited by Flagstaff City Code 3-12-001-0007 (Prohibited Uses).

IT IS UNLAWFUL TO PARK VEHICLES ON CITY STREETS FROM MIDNIGHT TO 7:00 A.M. FROM NOVEMBER 1 TO APRIL 1, PER FLAGSTAFF CITY CODE SECTION 9-01-001-0003.E.7

IT IS UNLAWFUL TO USE AN OUTDOOR FIRE PIT, OPEN FLAME BARBECUE OR GRILL IN VIOLATION OF CURRENT FIRE RESTRICTIONS. SEE CITY WEBSITE FOR CURRENT FIRE RESTRICTIONS: [INSERT CURRENT WEB ADDRESS]

WASTE AND RECYCLING CONTAINERS SHALL BE PLACED CURBSIDE BY 6:00 A.M. ON THE DAY OF COLLECTION, AND SHALL BE REMOVED FROM CURBSIDE ON THE SAME DAY AS THE CONTAINER IS SERVICED, PER FLAGSTAFF CITY CODE SECTION 7-04-001-0008.D.5.

Emergency Contact: (name and phone number)

City Complaints Hotline #:

City Short-Term Rental License #:

The City Management Services Director may include additional information in the notice related to the STR or City contact information, INCLUDING BUT NOT LIMITED TO LOCAL REGULATIONS AND HUMAN TRAFFICKING HOTLINE INFORMATION. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0010 NEIGHBOR NOTIFICATION

A. Neighbor Notification. Prior to offering an STR for rent for the first time, the owner shall provide neighbor notification to each single-family residential property adjacent to the STR, directly across from the STR, ~~directly behind the STR~~, diagonally across the street of the STR, and ~~diagonally behind the STR (touching a point on the adjacent STR property)~~. Prior to offering an STR located within a multifamily residential building, the owner shall provide neighbor notification to residents on the same building floor as the STR, ~~and the units directly above and below the STR~~. The neighbor notification shall be provided in writing in the form required by the City and shall include the following information:

1. The STR license number issued by the City;
2. The physical address of the STR; and
3. The name, physical address, email address, and twenty-four (24) hour telephone number of the emergency point of contact.

B. Attestation of Compliance. UPON REQUEST OF THE CITY, ~~Upon completion of the neighborhood notification, the~~ THE OWNER licensee shall submit to the City an attestation of compliance which shall include: (1) the address of each property notified; (2) a description of the manner IN which the owner chose to provide notification to each property so notified; (3) the name and contact information of the person attesting to compliance; AND (4) THE DATE(S) THAT NOTIFICATION WAS COMPLETED ~~The attestation submittal date shall be prima facie evidence as to the date the neighborhood notification was completed.~~

C. Additional Neighbor Notifications. The owner shall provide an additional neighbor notification within ten (10) days after any change in the emergency point of contact on file with the City ~~and at time of license renewal~~. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0011 RESERVED INSURANCE REQUIRED

PRIOR TO OFFERING OR RENTING A SHORT-TERM RENTAL FOR RENT, OWNER SHALL OBTAIN LIABILITY INSURANCE APPROPRIATE TO COVER THE SHORT-TERM RENTAL IN THE AGGREGATE

OF AT LEAST FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) OR ADVERTISE AND OFFER THE SHORT-TERM RENTAL THROUGH AN ONLINE LODGING MARKETPLACE THAT PROVIDES EQUAL OR GREATER COVERAGE.

3-12-001-0012 RESERVED BACKGROUND CHECKS REQUIRED

A. NO LATER THAN TWENTY-FOUR (24) HOURS BEFORE EVERY STAY THE OWNER OR OWNER'S DESIGNEE SHALL PERFORM A BACKGROUND CHECK ON THE PERSON BOOKING A SHORT-TERM RENTAL THROUGH THE ONLINE NATIONAL SEX OFFENDER PUBLIC WEBSITE OPERATED BY THE UNITED STATES DEPARTMENT OF JUSTICE IS NOT IDENTIFIED AS A SEX OFFENDER.

B. THE OWNER OR OWNER'S DESIGNEE SHALL RETAIN A RECORD (EITHER IN HARD COPY OR ELECTRONIC FORM) OF THE BACKGROUND CHECK ON THE PERSON BOOKING THE PROPERTY FOR TWELVE (12) MONTHS AFTER THE BOOKING DATE. RECORDS OF EACH BACKGROUND CHECK SHALL BE MADE AVAILABLE FOR INSPECTION BY THE CITY UPON DEMAND DURING NORMAL BUSINESS HOURS.

C. THE REQUIREMENTS OF SUBSECTIONS (A) AND (B) ABOVE ARE SATISFIED AND/OR WAIVED IF THE ONLINE LODGING MARKETPLACE ON WHICH THE SHORT-TERM RENTAL IS ADVERTISED PERFORMS THE BACKGROUND CHECK.

D. THE FAILURE OF AN ONLINE LODGING MARKETPLACE TO CONDUCT A BACKGROUND CHECK SHALL NOT RELIEVE THE OWNER OF LIABILITY UNDER THIS SECTION.

3-12-001-0013 RESERVED PUBLIC SAFETY AND PROTECTION OF PROPERTY

A. SMOKE ALARMS.

1. EACH SHORT-TERM RENTAL (STR) SHALL BE EQUIPPED WITH PROPERLY FUNCTIONING SMOKE ALARMS THAT INCLUDE BATTERY BACKUP AND ARE INSTALLED IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS. SMOKE ALARMS SHALL BE INSTALLED AND MAINTAINED IN ALL OF THE FOLLOWING LOCATIONS:

a. ON THE CEILING OR WALL OUTSIDE EACH SEPARATE SLEEPING AREA, IN THE IMMEDIATE VICINITY OF BEDROOMS.

b. WITHIN EACH ROOM USED FOR SLEEPING PURPOSES.

c. ON EVERY STORY OF THE DWELLING UNIT, INCLUDING BASEMENTS, BUT EXCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS.

2. ALL SMOKE ALARMS SHALL BE TESTED REGULARLY AND MAINTAINED IN OPERABLE CONDITION AT ALL TIMES.

B. CARBON MONOXIDE DETECTION.

1. CARBON MONOXIDE (CO) DETECTORS SHALL BE INSTALLED IN EACH STR THAT CONTAINS A FUEL-BURNING APPLIANCE, FUEL-BURNING FIREPLACE, OR AN ATTACHED GARAGE. FOR PURPOSES OF THIS SECTION, FUEL-BURNING APPLIANCES INCLUDE, BUT ARE NOT LIMITED TO, THOSE USING NATURAL GAS, PROPANE, WOOD, OR SIMILAR FUELS.
2. CO DETECTORS SHALL BE INSTALLED AND MAINTAINED IN THE FOLLOWING LOCATIONS:
 - a. OUTSIDE EACH SEPARATE SLEEPING AREA, IN THE IMMEDIATE VICINITY OF BEDROOMS.
 - b. WITHIN EACH SLEEPING UNIT.
3. CO DETECTORS SHALL BE TESTED REGULARLY AND MAINTAINED IN OPERABLE CONDITION AT ALL TIMES.

C. FIRE EXTINGUISHERS

1. EACH STR SHALL BE EQUIPPED WITH AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2-A:10-B:C. FIRE EXTINGUISHERS SHALL BE:
 - a. PROPERLY MOUNTED IN A VISIBLE AND READILY ACCESSIBLE LOCATION, OR CLEARLY MARKED TO INDICATE THEIR LOCATION;
 - b. MAINTAINED IN ACCORDANCE WITH APPLICABLE FIRE CODES AND MANUFACTURER RECOMMENDATIONS; AND
 - c. SERVICED, INSPECTED, AND TAGGED AT LEAST ANNUALLY, OR IMMEDIATELY AFTER EACH USE.

D. MEANS OF EGRESS

1. EACH STR DWELLING UNITS SHALL MAINTAIN ADEQUATE MEANS OF EGRESS TO ENSURE SAFE AND RAPID EVACUATION IN THE EVENT OF AN EMERGENCY. IN MOST CASES, THIS REQUIRES A MINIMUM OF TWO DISTINCT AND UNOBSTRUCTED EXIT PATHS.
2. EACH MEANS OF EGRESS SHALL BE:
 - a. CONTINUOUSLY MAINTAINED IN A SAFE AND USABLE CONDITION;
 - b. KEPT FREE OF OBSTRUCTIONS AT ALL TIMES, INCLUDING BUT NOT LIMITED TO FURNITURE, STORAGE, DEBRIS, SNOW, AND ICE; AND
 - c. CLEARLY IDENTIFIABLE AND ACCESSIBLE TO OCCUPANTS.

E. FIRE RESTRICTIONS AND OUTDOOR COMBUSTION DEVICES

1. DUE TO THE ELEVATED WILDFIRE RISK IN THE FLAGSTAFF AREA, AND DOCUMENTED TRENDS INDICATING THAT VISITORS MAY BE UNFAMILIAR WITH OR FAIL TO COMPLY WITH LOCAL FIRE RESTRICTIONS, THE OWNER OR THE OWNER'S DESIGNEE SHALL TAKE PROACTIVE MEASURES TO PREVENT UNAUTHORIZED OPEN-FLAME USE:

a. DURING PERIODS WHEN STAGE 2 OR HIGHER FIRE RESTRICTIONS ARE IN EFFECT, THE OWNER OR OWNER'S DESIGNEE SHALL REMOVE, DISABLE, OR SECURELY LOCK ANY FIRE PIT, OPEN-FLAME BARBECUE OR GRILL TO RENDER SUCH DEVICES INOPERABLE.

b. SUCH DEVICES MAY BE RESTORED TO USE ONLY WHEN FIRE RESTRICTIONS ARE REDUCED TO STAGE 1 OR STAGE 0.

2. GAS-FUELED APPLIANCES EQUIPPED WITH A FUNCTIONAL ON/OFF SWITCH AND DESIGNED FOR SAFE SHUTOFF ARE EXEMPT FROM THIS REQUIREMENT.

3-12-001-0014 LICENSE SUSPENSIONS

A. License Suspensions. The City may suspend an STR license for a period of up to twelve (12) months for any of the following:

1. Three (3) verified violations within a twelve (12) month period, not including any aesthetic, solid waste disposal or vehicle parking violation that is not also a serious threat to public health and safety.
2. One (1) verified violation that results in or constitutes any of the following:
 - a. A felony offense committed at or in the vicinity of an STR by the owner of the vacation rental or by the owner's designee;
 - b. A serious physical injury or wrongful death at or related to an STR resulting from the knowing, intentional or reckless conduct of the owner of the vacation rental or the owner's designee;
 - c. The owner of the STR or the owner's designee knowingly or intentionally housing a sex offender, allowing offenses related to adult-oriented businesses, sexual offenses, sex trafficking, or prostitution, or operating or maintaining a sober living home; or
 - d. The owner of the STR or the owner's designee knowingly or intentionally allowing the use of an STR for a special event that would otherwise require a permit or license pursuant to the City Code or a State law or rule or for a retail, restaurant, banquet space or other similar use.

B. Notice of License Suspension and Appeals. City shall give written notice of the license suspension to the owner of the STR. The notice shall inform the owner of the right to appeal the license suspension within ten (10) calendar days to the City Manager and request a hearing pursuant to Section [3-12-001-0017](#) (Hearing Procedures). An appeal under this section does not operate as a stay of the license suspension. This section is not applicable to actions for judicial relief brought pursuant to subsection (C) of this section.

C. Judicial Relief. Notwithstanding any attempted or completed felony act arising from the occupancy or use of an STR that results in a death, or actual or attempted serious physical injury, shall be grounds for judicial relief in the form of a suspension of the property's use as an STR for a period that shall not exceed twelve (12) months.

D. Authority. The City Attorney may initiate proceedings in the City Court or other court of competent jurisdiction to enforce this section. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0015 PENALTIES FOR VERIFIED VIOLATIONS

A. Penalties. Notwithstanding any other law or penalties assessed, the City may impose the following enhanced civil penalties upon the owner of an STR if the owner receives one (1) or more verified violations related to the same STR within a twelve (12) month period:

1. Five hundred dollars (\$500.00) for the first verified violation.
2. One thousand dollars (\$1,000.00) for the second verified violation.
3. Three thousand five hundred dollars (\$3,500.00) for a third and any subsequent verified violation.

B. If multiple violations arise out of the same response to an incident at an STR, those verified violations are considered one (1) verified violation for the purpose of imposing a penalty.

C. If multiple violations under Section [3-12-001-0008](#) (Advertisements) for the same STR have occurred within a period of thirty (30) days, then, upon a showing that the STR has come into compliance with such section, those verified violations shall be considered as one (1) verified violation for the purpose of imposing a penalty.

D. If multiple violations under Section [3-12-001-0010](#) (Neighbor Notification) for the same STR have occurred within a period of thirty (30) days, then upon a showing that the STR has come into compliance with such

section, those verified violations shall be considered as one (1) verified violation for the purpose of imposing a penalty. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0016 ENFORCEMENT

A. Enforcement Authority. The City Manager, the City Police Department, City Code Compliance Manager, City Attorney or their designees are delegated authority to enforce this chapter.

B. Notice of Violation. The City may send a written notice of violation of any provision of this chapter to the owner or owner's designee. The notice of violation shall inform the owner of:

1. The nature of the violation(s).
2. The section(s) of the code alleged to have been violated.
3. Possible fines or penalties that may be assessed by the City.
4. The time for curing any deficiency or violation so as to avoid fines or penalties.
5. The right to appear at a hearing on a specific date and time to contest the notice of violation, fines, or penalties.
6. The effect of failure to timely request a hearing or appear.
 - a. A failure of the person to request a hearing within ten (10) calendar days from receipt of the written notice of violation shall constitute a waiver of the right to a hearing or to challenge the validity of the City notice of violation and assessment of fines or penalties. The Hearing Officer may render a final decision notwithstanding the owner's failure to appear.
 - b. Similarly, a failure of the person to request a hearing within ten (10) calendar days from receipt of the written notice of the denial or suspension of a license shall constitute a waiver of the right to a hearing or to challenge the validity of the denial or suspension of a license. The Hearing Officer may render a final decision notwithstanding the owner's failure to appear.
7. The hearing procedures, which are set forth in Section [3-12-001-0017](#) (Hearing Procedures).

C. Civil Offenses. Each violation of this chapter shall constitute a civil offense. Each day that a violation occurs shall be a separate offense. VIOLATIONS OF THIS CHAPTER ARE SUBJECT TO CIVIL PENALTIES

UNDER SECTION 3-12-001-0015 VERIFIED VIOLATION IN ADDITION TO PROVISIONS FOR LICENSE SUSPENSION.

D. Owner Liability. The failure of any owner's designee to comply with this chapter shall not relieve the owner of liability under this chapter.

E. Remedies Cumulative. The remedies in this chapter are cumulative and the City may proceed under one (1) or more such remedies. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

3-12-001-0017 HEARING PROCEDURES

A. Hearing Officer. The City Manager shall appoint an independent Hearing Officer to preside over any hearing under this chapter.

B. Hearing Date. Upon receipt of a timely appeal or request for a hearing, the Hearing Officer shall schedule a hearing to occur within thirty (30) days or as soon as practicable. The hearing date may be continued or rescheduled upon good cause shown.

C. Information Submittal. Each party shall submit the following to the Hearing Officer and to the opposing party at least ten (10) days prior to the scheduled hearing date:

1. Factual bases for contesting City's written notice of violation or decision;
2. List of persons expected to testify, and a brief summary of each person's expected testimony;
3. A list of and copy of all exhibits;
4. Notice as to whether the party will be represented by legal counsel at the hearing;
5. If desired, a request that the hearing be recorded by an electronic hearing device.

D. Informal Process. The hearing shall be conducted in an informal process to determine whether there is a sufficient factual and legal basis to support the City's notice of violation, fines to be imposed if any, or decision that is being appealed. The rules of evidence shall not apply; provided, however, that the decision of the Hearing Officer shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence and conduct cross-examination. The City shall present its case first. The Hearing Officer may issue orders as may be necessary or appropriate to fairly and efficiently determine the

truth and decide the case at hand. The Hearing Officer may ask questions. The City shall have the burden of establishing by a preponderance of the evidence that a violation has occurred or that its action was merited.

E. Final Decision. The Hearing Officer shall issue its written decision within thirty (30) days from the hearing date. The decision shall include factual findings. The decision of the Hearing Officer is final.

F. Waiver. A failure of the person who received written notice in compliance with the requirements of this chapter to timely request a hearing or the failure to appear at a scheduled hearing shall constitute a waiver of the right to a hearing or to challenge the validity of the City notice of violation or action. The Hearing Officer may render a final decision notwithstanding the person's failure to appear at the hearing. (Ord. 2023-16, Rep&ReEn, 07/03/2023 (Res. 2023-38))

The Flagstaff City Code, Title 3 Business Regulations, Chapter 3-10 User Fees is hereby amended by amending Sections 3-10-001-0008 License Fees to read as follows (additions are shown in capitalized, underlined text, and deletions are shown as stricken):

**CHAPTER 3-10 USER FEES
SECTION 3-10-001-0008 LICENSE FEES**

3-10-001-0008 License Fees

The user fees of the Management Services Division shall be as follows:

Fee Type	Fee per Each
Business license – annual	\$8
Business license – renewal	\$8
Business license – penalty failure to obtain/renew	50% of fee
Transient merchant approval	\$0
Transaction privilege and use tax license (see Section 3-05-003-0320)	
Commercial ground transportation – per taxi	\$38

Fee Type	Fee per Each
Commercial ground transportation – per motor coach	\$38
Commercial ground transportation – annual renew	\$8
Adult oriented business (see Section 3-08-001-0006)	
Adult oriented business renew (see Section 3-08-001-0006)	
Scavenger waste permit	\$45
Short-term rental license – annual (see Chapter 3-12)	<u>\$250</u> \$175*
<u>SHORT-TERM RENTAL LICENSE – FAILURE TO APPLY WITHIN 30 DAYS (SEE CHAPTER 3-12)</u>	<u>\$1,000**</u>

*—~~Short term rental license fee will increase by five dollars (\$5.00) annually on November 1st, commencing in 2024.~~

(Ord. 2018-22, Amended, 06/19/2018; Ord. 2023-16, Amended, 07/03/2023 (Res. 2023-38); Ord. 2024-19, Amended, 07/03/2024 (Res. 2024-30))