

CITY OF DOVER, IDAHO
ZONING REGULATIONS
TITLE 12, CHAPTER 7, SECTION 12-7-4, OF DOVER CITY CODE
REGARDING SHORT-TERM RENTALS COMMENT PERIOD AND LIFE/SAFETY INSPECTIONS

ORDINANCE NO. 177

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING DOVER CITY CODE, TITLE 12 (DOVER ZONING REGULATIONS), CHAPTER 7, SECTION 4, "SHORT-TERM RENTALS," TO PROVIDE FOR A 14-DAY PUBLIC COMMENT DEADLINE AND TO ALLOW LIFE/SAFETY SELF-INSPECTIONS WHEN FIRE DISTRICT OR BUILDING OFFICIAL INSPECTIONS ARE NOT AVAILABLE; AND TO PROVIDE A SAVINGS CLAUSE, SEVERABILITY, AND AN EFFECTIVE DATE.

Whereas, the Constitution of the State of Idaho, Article XII, Section 2, the Idaho Local Land Use Planning Act, Title 67, Chapter 65, and the Idaho Municipal Corporations Title 50, Chapters 3 and 9 provide authority for the City of Dover to adopt ordinances establishing land use standards, procedures, and uses; and

Whereas, the Idaho Local Land Use Planning Act, Title 67, Chapter 65, sets forth the procedures for the adoption and amendment of land use codes; and

Whereas, Section 67-6539 of the Local Land Use Planning Act sets forth short-term rental regulation limitations, but authorizes reasonable regulations to safeguard public health, safety, and general welfare; and

Whereas, the City of Dover has initiated amendments to Title 12, Zoning Regulations, Chapter 7, Section 4, Short-Term Rentals, to provide a deadline for public comment, where none exists in current code, and to allow a life/safety checklist to be completed by the owner/applicant when inspections are no longer provided by the local building official or fire district; and

Whereas, the Dover Planning and Zoning Commission conducted a duly noticed public hearing on the proposed ordinance amendment, in accord with the Local Land Use Planning Act, Title 67, on February 3, 2022, and did make a recommendation to the Dover City Council to approve the ordinance amendment as drafted; and

Whereas, Dover City Council conducted a public hearing on the proposed amendment on March 21, 2022, in accord with Title 67, Chapter 65 and voted to request revisions to the draft ordinance to retain fire district and building official inspections whenever available and tabled action to April 14, 2022, and did approve the ordinance as revised.

Now therefore,

Be it ordained by the Mayor and City Council of the City of Dover, Bonner County, Idaho as follows:

(Text to be added is shown with underline. Text to be removed is shown with ~~strikeout~~.)

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Section 1. Adoption.

Part A: Amending Title 12, Chapter 7, Section 4, "Short-Term Rentals," Subsection D4, Dover City Code.

Title 12 (Zoning Regulations) of Dover City Code, Section 12-7-4, Short-Term Rentals, Section 12-7-4 D4 is hereby amended to read as follows:

D.

4. Prior to issuance of the short-term rental permit, the City shall provide notification of permit application by regular mail to landowners within three hundred feet (300') of the property. Any public comment on the proposed short-term rental application shall be based on whether it meets the standards of this section. The deadline to submit written public comment to the city clerk shall be fourteen (14) days from the date the public notice is mailed.

Part B: Amending Title 12, Chapter 7, Section 4, "Short-Term Rentals," Subsection E4.

Title 12 (Zoning Regulations) of Dover City Code, Section 12-7-4, Short-Term Rentals, Subsection E4, is hereby amended to read as follows:

E.

4. The rental unit shall conform to the Life/Safety Codes of current, applicable International Residential and Fire Codes, as adopted by the City. Prior to the issuance of the short-term rental permit, the owner shall obtain an inspection report from the local fire district or building official, confirming the home is equipped with smoke detectors, fire extinguishers, carbon monoxide detectors, where applicable, egress windows, exit plans, exit equipment for upper-level escape, emergency action plans, and other such life/safety measures identified by the inspector as necessary to meet life/safety standards. The applicant or owner is responsible for any applicable inspection fees. After the initial inspection, the owner shall provide to the city clerk by January 1st of each year an annual report confirming the safety measures that were identified as required in the initial report are maintained. Should fire district or building official inspection services be unavailable, as determined by the City, the owner shall submit to the city clerk a completed self-inspection life/safety checklist, on a form provided by the City, confirming the home is equipped with the required life/safety measures.

Section 2. Saving Clause.

All ordinances repealed by this ordinance shall remain in force to authorize the enforcement, arrest, prosecution, conviction, or punishment of a person who violated said ordinances prior to the effective date of this Ordinance.

Section 3. Severability. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 4. Effective date.

This ordinance shall be in full force and effect upon the passage and publication of the ordinance or ordinance summary in one (1) issue of the official newspaper for the City of Dover.

This ordinance passed under suspension of rules and duly enacted as an ordinance of the City of Dover, Idaho on this 14th day of April, 2022 upon the following roll call vote:

ROLL CALL:

Council Member Parkin	<u> Aye </u>
Council Member Hoffman	<u> Aye </u>
Council Member Glass	<u> Aye </u>
Council Member Bledsoe	<u> Aye </u>

Approved by the Dover City Mayor this 14th day of April, 2022.

George E. Eskridge
City of Dover Mayor
George E. Eskridge

Michele Hutchings
Attest: Michele Hutchings, City Clerk

APPROVAL OF ORDINANCE SUMMARY:

Publication of this ordinance by summary in the official newspaper is hereby approved by the Dover City Council on this 14th day of April, 2022, upon the following vote:

ROLL CALL:

Council Member Parkin	<u> Aye </u>
Council Member Hoffman	<u> Aye </u>
Council Member Glass	<u> Aye </u>
Council Member Bledsoe	<u> Aye </u>

Approved by the Dover City Mayor this 14th day of April, 2022.

George E. Eskridge
City of Dover Mayor
George E. Eskridge

Michele Hutchings
Attest: Michele Hutchings, City Clerk

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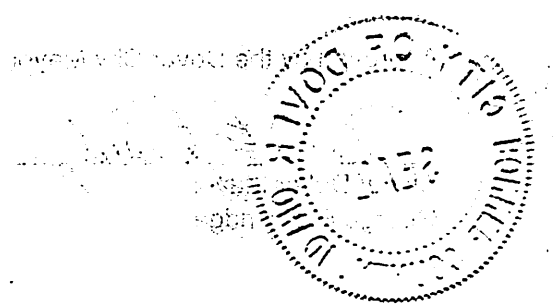
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