

ORDINANCE NO. 181

CITY OF DOVER, IDAHO

**BUSINESS AND LICENSE REGULATIONS, TITLE 3, DOVER CITY CODE
AMENDING CHAPTER 1, BUSINESS REGISTRATION REQUIREMENTS**

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING DOVER CITY CODE, TITLE 3, CHAPTER 1, BUSINESS REGISTRATION REQUIREMENTS TO DEFINE SHORT-TERM RENTALS AND TO CLARIFY THAT SHORT-TERM RENTALS ARE SUBJECT TO THE PROVISIONS OF THE BUSINESS REGISTRATION CHAPTER, TO PROVIDE A SAVINGS CLAUSE, SEVERABILITY, AND AN EFFECTIVE DATE.

Whereas, the Constitution of the State of Idaho, Article XII, Section 2, and the Idaho Municipal Corporations Title 50, Chapters 3 and 9 provide authority for the City of Dover to adopt ordinances, collect fees, and establish standards; and

Whereas, the City of Dover has established business registration requirements in Title 3, Chapter 1, of Dover City Code (DCC) and the City desires to amend this chapter to define short-term rentals and to provide specific language confirming that short-term rentals are subject to Business Registration Requirements.

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~~.)

Section 1. Adoption.

Part A: Dover City Code, Title 3, Chapter 1, Section 3-1-1, Definitions, “Business or Occupation” is hereby amended and a new definition “Short-Term Rentals” is hereby added, to read as follows:

3-1-1: DEFINITIONS:

BUSINESS OR OCCUPATION: All activities, trades and pursuits conducted or engaged in for profit, including, without limitation, wholesale businesses, retail businesses, personal service businesses and professions, short-term rentals, persons operating a flea market, special events sales with more than one booth or vendor, and businesses conducted as home occupations in any and all situations where suppliers, vendors, customers, clients and/or members of the general public visit or frequent the premises where the business or occupation is conducted.

SHORT-TERM RENTALS: The rental of one or more dwelling units for a term less than thirty (30) days, whether or not funds, goods or services are exchanged for the use. The

term shall include vacation rental, Air BnBs, home sharing, co-hosted rentals, bed and breakfast facilities of five (5) or fewer bedrooms, and any other occupancy subject to the standards established by section 12-7-4 of Dover City Code. The term shall not include on-going, month-to-month rental tenancy granted to the same occupant. Short-term rental shall not include any retail, restaurant, banquet space, event center, or other similar uses.

Part B: : Dover City Code, Title 3, Chapter 1, Section 3-1-2, Registration Certificate Required, Paragraphs A and B, are hereby amended to read as follows:

3-1-2: REGISTRATION CERTIFICATE REQUIRED:

A. Prohibition Against Doing Business Without Registration Certificate: No individual, entity, or property owner shall engage in any business, occupation, or short-term rental within the city limits without first having obtained a business registration certificate as required by this chapter.

B. Application: A business registration certificate shall be required for each premises located within the city in which any person is engaged in any business, occupation, or short-term rental ~~or occupation~~. Any person conducting such a business, ~~or engaged in such an occupation, or operating a short-term rental~~ shall apply for the required business registration certificate by filling out an application provided by the city clerk. A registration certificate shall be required for each branch establishment and/or separate location of a business, occupation, or short-term rental.

C. Exception For Short-Term Rental Marketplaces. The operator of a short-term rental marketplace, as defined in Idaho Code §63-1803, is excluded from the registration requirements specified herein, for the operation of its short-term rental marketplace platform. If the short-term rental marketplace engages in other business within the city, then the short-term rental marketplace shall be subject to the business registration requirements for its other business activities.

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.

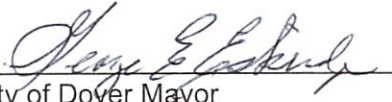
This ordinance shall be in full force and effect upon the passage and publication of the ordinance or ordinance summary in one (1) issue of the official newspaper for the City of Dover.

This ordinance passed under suspension of rules and duly enacted as an ordinance of the City of Dover, Idaho on this December 8,_____, 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 8th day of December, 2022.


 City of Dover Mayor
 George E. Eskridge


 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 8th day of December, 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 8th day of December, 2022.


 City of Dover Mayor


 Attest: Michele Hutchings, City Clerk