



White Salmon Community Development Committee Meeting
A G E N D A
January 17, 2019 – 4:00 PM
City Hall, 100 N. Main, White Salmon WA 98672

Call to Order/Roll Call

Action Items

- 1.** Annexation and Real Estate
 - a. Review of Zoning
 - b. Discussion of 2019 Priorities
 - c. Update on Current Annexations

- 2.** **Tourism and Business Development**
 - a. Review/Discussion of Lodging Tax
 - b. Discussion: Downtown Enhancements
 - i. Wayfinding
 - ii. Seasonal Decor
 - c. Update: City Hall Renovations
 - d. Discussion: 2019 Priorities

- 3.** **Housing**
 - a. Review/Refine: Draft Short-term Rental Policy
 - b. Discussion: 2019 Priorities

- 4.** **Miscellaneous Community Concerns**
 - a. Discussion: Postal Delivery



Agenda Memo - Community Development Committee Meeting

Subject: Current Annexations

Date: January 15, 2019

Hulbert Annexation

The City Council approved the Hulbert annexation in December. Documents need to be filed with Klickitat County and the State of Washington in January to finalize the annexation.

White/Baxter/Klebba Annexation

The City of White Salmon accepted an Intent to Annex combining two "intents" from Nancy White and Shelley Baxter/Raymond Klebba. The zoning for the annexation was identified as Single-Family Residential (R1). Petitions to annex are currently being circulated to obtain signatures of property owners that equal 60% of the total assessed valuation for the area. I expect the Petitions to be submitted to the City sometime this late winter/early spring for action by the city council.

Other Annexations

At this time the city is not working with anyone on specific annexations. There have been some inquiries as to how property can be annexed but nothing solid has been brought forth at this time.

All future proposed annexations will be brought to the Community Development Committee prior to being submitted to the full city council.

Lodging Tax (Hotel-Motel Tax)

This page provides an overview of the lodging tax, also known as the hotel-motel tax, that cities and counties in Washington State may charge to benefit tourism.

What is the Lodging Tax?

The lodging tax, also referred to as the hotel-motel tax, is a consumer tax on lodging charges for periods of less than 30 consecutive days for hotels, motels, rooming houses, private campgrounds, RV parks, and similar facilities.

How Can the Lodging Tax Revenues Be Used?

The guiding principle for the use of lodging taxes is that they must be used for activities, operations and expenditures designed to increase tourism. Specifically, lodging taxes can be used for:

- Tourism marketing;
- Marketing and operations of special events and festivals designed to attract tourists;
- Operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district; or
- Operations of tourism-related facilities owned or operated by nonprofit organizations ([RCW 67.28.1816](#)).

Note that, as of July 1, 2013, capital expenditures for tourism-related facilities owned by nonprofit organizations are no longer permitted expenditures of lodging tax funds.

If you are considering using lodging tax revenues to fund staff support of the Lodging Tax Advisory Committee, see MRSC's blog post on [Using Lodging Taxes for Staff Support of LTAC](#).

In addition, 2015 legislation ([SB 1223](#)) also allows cities and counties to (optionally) use lodging tax revenues to repay general obligation bonds ([RCW 67.28.150](#)) or revenue bonds ([RCW 67.28.160](#)) for affordable workforce housing within a half-mile of a transit station. The legislation does not grant additional bonding capacity or lodging tax resources but provides another option for the use of these limited resources. (King County has separate mandatory provisions requiring at least 75% of the revenues to be used for affordable housing and the arts beginning in 2021. However, these provisions do not apply to other local governments.)

What is Included in Tourism Marketing and Operations?

It includes activities defined as "tourism promotion" in state law ([RCW 67.28.080](#)).

- Advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists;

- Developing strategies to expand tourism;
- Operating tourism promotion agencies; and
- Funding the marketing or operation of special events and festivals designed to attract tourists.

What is a "Tourism-Related Facility"?

A tourism-related facility is a real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is (a) owned by a public entity, nonprofit organization (including a non-profit business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce) and (b) used to support tourism, performing arts, or to accommodate tourist activities (RCW 67.28.080).

What Kinds of Facilities Does this Include?

It depends. The guiding principle here is that the facilities should be used by tourists. So, for example, a municipal golf course would likely be a permitted expenditure in Chelan, where it probably would not be if it were in a residential neighborhood in Spokane. Each situation is unique.

Applications for Lodging Tax Funds

In counties or cities of at least 5,000 population, applications must be submitted directly to the lodging tax advisory committee (LTAC). In counties or cities of less than 5,000, applications are submitted to the county or city. The law is silent on how often the awards should be made. Some jurisdictions choose to make awards as part of their annual budget cycle. Others also make mid-year awards to account for unexpected increases or decreases in projected revenue.

Who Must Apply?

- Convention and visitors bureaus;
- Destination marketing organizations;
- Nonprofits, including main street organizations, lodging associations, or chambers of commerce;
- Municipalities - The State Auditor's Office is interpreting the law to mean that all users of funds, including municipalities, are considered applicants and must follow relevant application procedures. So, cities and counties should submit applications for their own projects to the LTAC.

What is Included in the Application?

All applications must include estimates of how funding the activity will result in increases to people staying overnight, travelling 50 miles or more, or coming from another state or country. To ensure this data is collected, jurisdictions should require this information on their lodging tax application forms.

There is no requirement that priority for funding be given to applicants expected to generate the most travelers, and lodging tax revenue may still be awarded to recipients who generate few of these types of travelers.

Examples of Funding and Application Guidelines

- [Mount Vernon 2017 Lodging Tax/Tourism Promotion Funding Application Guidelines and Information](#)

- [San Juan County 2017 Lodging Tax Facilities Grant Program](#)
- [Ocean Shores 2015 Lodging Tax Plan for Use and Application Information](#)

Examples of Applications for Lodging Tax Funds

- [Ellensburg Request for Proposals Lodging Tax Fund \(2014\)](#)
- [Lacey Application for City of Lacey Lodging Tax Funds \(2013\)](#)
- [Pacific County Lodging Tax Grant Application Packet \(2015\)](#)
- [Wenatchee Application for Wenatchee Lodging Tax Funds \(2013\)](#)

Review and Selection of Applications

In a municipality of at least 5,000 population, the LTAC receives all applications for lodging tax revenue and recommends a list of candidates and funding levels to the municipality's legislative body for final determination. If a municipality under 5,000 chooses to establish a LTAC, they may, but do not have to, follow these requirements.

What Does the Municipality Do with the LTAC's Recommendations?

The legislative body "may choose only *recipients* from the list of candidates and recommended amounts provided by the local lodging tax advisory committee" ([RCW 67.28.1816\(2\)\(b\)\(ii\)](#), emphasis added). However, an [informal opinion from the Attorney General's Office](#) in 2016 states that the legislative body may award amounts different from the LTAC's recommended amounts, but only after satisfying the procedural requirements of [RCW 67.28.1817\(2\)](#). This requires the municipality to submit its proposed change(s) to the LTAC for review and comment at least forty-five days before final action is taken.

For more details, see our blog post on [Informal AG Opinion Clarifies Lodging Tax Awards](#).

Contracts with Recipients of Lodging Tax Funds

Because of the state constitutional gift of public funds prohibition, a city or county should enter into a contract with any private organization providing marketing services, operating special events or festivals, or any other tourist promotion activity. The contract should spell out the tourism-related services to be provided in exchange for city or county funding and what reports will be required. Also, any organization doing promotion on behalf of the city or county may only spend lodging tax funds on items that the city or county itself could fund. This prohibits, for example, any expenditures on promotional hosting.

Examples of Contracts for Services with Recipients of Lodging Tax Funds

- [Olympia Professional Services Agreement for Tourism Promotion \(Lodging Tax\) Services](#)
- [Union Gap Old Town Days Agreement \(2011\)](#)
- [Wenatchee Municipal Services Agreement Re: Lodging Tax Funded Activities \(2014\)](#)

Reporting Requirements

- All entities receiving lodging tax funds must provide information to their respective local government on their use of these funds as required by [RCW 67.28.1816](#). This includes local governments that directly use lodging tax funds for municipal purposes, such as municipal facilities or community events. Local governments will then, in turn, report this information annually to JLARC using their [on-line reporting system](#).
- Local governments should, as part of their contract with recipients, require that the report be provided immediately after the event or activity.
- The deadline for local governments to submit the annual data to JLARC is May 30 for the year ending the previous December 31.
- JLARC does *not* provide advice on how to estimate tourism impacts. Good faith estimates of actuals can be reported provided applicants and users of funds indicate how those estimates will be developed. All information (including descriptions of how actual impacts were estimated) will be available for public review.
- JLARC can be contacted for technical issues associated with the reporting portal by emailing jlarc@leg.wa.gov

Reference Sources

- [Instructions for Reporting Lodging Tax Expenditures](#) (February 2018)
- 2017 JLARC Lodging Tax Report:2017 Lodging Tax Expenditures Update (August 2018)
- [FAQs for Reporting Lodging Tax Expenditures](#) (February 2018)

Lodging Tax Advisory Committee (LTAC)

- This committee must have at least five members, appointed by the governing body.
- The committee membership must include at least two representatives of businesses that are required to collect the lodging tax, at least two people who are involved in activities that are authorized to be funded by this tax, and one elected city official who serves as chairperson of the committee. The statute also provides that a person who is eligible under the first category is not eligible for appointment under the second category, and vice versa.
- Organizations representing hotels and motels and organizations involved in activities that can be funded by this tax may recommend people for membership.
- The number of committee members from organizations representing the hotels and motels and the number from organizations involved in activities that can be funded must be equal.
- A city's committee may include a non-voting elected county official and vice-versa.
- The governing body must review the membership of the committee annually.

In addition to reviewing applications for the use of the lodging tax, what does the committee do?

Any proposal to impose a new lodging tax, raise the rate of an existing tax, repeal an exemption from the lodging tax, or change the use of the tax proceeds, must be submitted to the lodging tax advisory committee for review and comment.

- This submission must occur at least 45 days before final action will be taken on the governing body's proposal. Even if the committee finishes its work before the 45 days are up, the governing body still must wait 45 days.

- The committee's comments must include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and of the extent to which it will affect the long-run stability of the fund to which the hotel-motel taxes are credited.
- If the advisory committee does not submit comments before the time that final action is to be taken on the proposal, the governing may go ahead and take final action.

Examples of LTACs and Code Provisions

- Kirkland Municipal Code Ch. 5.19 - Lodging Excise Tax
- Olympia Lodging Tax Advisory Committee
- Port Townsend Municipal Code Ch. 2.74 - Lodging Tax Advisory Committee
- Kitsap County Lodging Tax Advisory Committee
- San Juan County Lodging Tax Advisory Committee - see also San Juan County Code Sec. 3.16.030-.050

What Are the Tax Rates?

Any county and most cities may impose a "basic" two percent tax under RCW 67.28.180 on all charges for furnishing lodging at hotels, motels, and similar establishments (including bed and breakfasts and RV parks) for a continuous period of less than one month. This tax is taken as a credit against the 6.5 percent state sales tax, so that the total tax that a patron pays in retail sales tax and the hotel-motel tax combined is equal to the retail sales tax in the jurisdiction. In most cases, when a city and county both impose this tax, there is a credit for the amount of the city tax against the county tax so that two taxes are not levied on the same taxable event.

In addition, most counties and cities may levy an additional tax of up to two percent, for a total rate of four percent, under RCW 67.28.181(1). This "special" tax is not credited against the state sales tax. Therefore, if a county or city levies this additional tax, the total tax on the lodging bill will increase by two percent.

There are some exceptions established in RCW 67.28.181(2).

RCW 67.28.181(1) stipulates that this additional two percent tax may be levied as long as the total tax rate under Ch. 36.100 RCW (the public facilities district tax), Ch. 82.08 RCW (the state sales tax), Ch. 82.14 RCW (the city, county, and transit district sales taxes), Ch. 67.28 RCW (the hotel-motel tax chapter), and Ch. 67.40 RCW (the convention and trade center tax) does not exceed twelve percent. (Note that the sales tax rate for the Regional Transit Authority (Sound Transit) in portions of King, Pierce, and Snohomish counties is not included in making these calculations.) The limit for the total rate in Seattle is 15.2 percent, because the convention center tax is higher than in the rest of the county. This means that most cities in King County may only levy a one percent tax and Seattle cannot levy any tax.

Counties (including the cities within the county) and cities that had authority to levy a "special" tax before July 27, 1997 that allowed a total rate higher than four percent, had that rate grandfathered in by the 1997 legislation. Grays Harbor and Pierce counties are in this category, plus Chelan, Leavenworth, Long Beach, Bellevue, Yakima, and Winthrop.

Cities located in counties that had the authority to levy a total four percent tax county-wide before January 1, 1997, are limited to the "basic" two percent rate. This affects cities in Snohomish and Cowlitz counties.

Due to some unique circumstances, there was a period of time at the end of 1997 and beginning of 1998 when the outstanding taxing authority was six percent, rather than the four percent the legislature intended. During this time, Wenatchee and East Wenatchee raised their total tax to six percent. These rates were grandfathered in by the 1998 legislature.

Last Modified: December 20, 2018

© 2018 MRSC of Washington. All rights reserved. [Privacy & Terms](#).

RCW 67.28.1816**Lodging tax—Tourism promotion.**

(1) Lodging tax revenues under this chapter may be used, directly by any municipality or indirectly through a convention and visitors bureau or destination marketing organization for:

- (a) Tourism marketing;
- (b) The marketing and operations of special events and festivals designed to attract tourists;
- (c) Supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district created under chapters 35.57 and 36.100 RCW; or
- (d) Supporting the operations of tourism-related facilities owned or operated by nonprofit organizations described under 26 U.S.C. Sec. 501(c)(3) and 26 U.S.C. Sec. 501(c)(6) of the internal revenue code of 1986, as amended.

(2)(a) Except as provided in (b) of this subsection, applicants applying for use of revenues in this chapter must provide the municipality to which they are applying estimates of how any moneys received will result in increases in the number of people traveling for business or pleasure on a trip:

- (i) Away from their place of residence or business and staying overnight in paid accommodations;
- (ii) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or
- (iii) From another country or state outside of their place of residence or their business.

(b)(i) In a municipality with a population of five thousand or more, applicants applying for use of revenues in this chapter must submit their applications and estimates described under (a) of this subsection to the local lodging tax advisory committee.

(ii) The local lodging tax advisory committee must select the candidates from amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee.

(c)(i) All recipients must submit a report to the municipality describing the actual number of people traveling for business or pleasure on a trip:

- (A) Away from their place of residence or business and staying overnight in paid accommodations;
- (B) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or
- (C) From another country or state outside of their place of residence or their business. A municipality receiving a report must: Make such report available to the local legislative body and the public; and furnish copies of the report to the joint legislative audit and review committee and members of the local lodging tax advisory committee.

(ii) The joint legislative audit and review committee must on a biennial basis report to the economic development committees of the legislature on the use of lodging tax revenues by municipalities. Reporting under this subsection must begin in calendar year 2015.

(d) This section does not apply to the revenues of any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

[2013 c 196 § 1; 2008 c 28 § 1; 2007 c 497 § 2.]

NOTES:

Effective date—2013 c 196: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, a

takes effect July 1, 2013." [2013 c 196 § 3.]

RCW 67.28.080**Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" includes, but is not limited to, siting, acquisition, design, construction, refurbishing, expansion, repair, and improvement, including paying or securing the payment of all or any portion of general obligation bonds, leases, revenue bonds, or other obligations issued or incurred for such purpose or purposes under this chapter.

(2) "Municipality" means any county, city or town of the state of Washington.

(3) "Operation" includes, but is not limited to, operation, management, and marketing.

(4) "Person" means the federal government or any agency thereof, the state or any agency, subdivision, taxing district or municipal corporation thereof other than county, city or town, any private corporation, partnership, association, or individual.

(5) "Tourism" means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.

(6) "Tourism promotion" means activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists.

(7) "Tourism-related facility" means real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned by a nonprofit organization described under section 501(c)(3) of the federal internal revenue code of 1986, as amended; or (iii) owned by a nonprofit organization described under section 501(c)(6) of the federal internal revenue code of 1986, as amended, a business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce and (b) used to support tourism, performing arts, or to accommodate tourist activities.

[2013 c 196 § 2. Prior: 2007 c 497 § 1; 1997 c 452 § 2; 1991 c 357 § 1; 1967 c 236 § 1.]

NOTES:

Effective date—2013 c 196: See note following RCW 67.28.1816.

Intent—1997 c 452: "The intent of this act is to provide uniform standards for local option excise taxation of lodging." [1997 c 452 § 1.]

Severability—1997 c 452: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1997 c 452 § 24.]

Savings—1997 c 452: See note following RCW 67.28.181.

Effective date, application—1991 c 357: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect after immediately [effect immediately (May 21, 1991)]. This act applies retroactively to all actions taken under chapter 67.28 RCW on or after January 1, 1990." [1991 c 357 § 5.]

Clarification of permitted use or purpose: 2000 c 256.



Agenda Memo - Community Development Committee Meeting

Subject: City Hall Renovations

Date: January 15, 2019

The renovations of City Hall involved two items: (1) adding an extension to the back of city hall (where the restrooms currently exist) to be used for records and archives and (2) completing the exterior of city hall.

The City Administrator is working with Pioneer Engineering and Archery Mayo to come up with some renderings and specifications as to what the exterior could look like. These documents will be reviewed by the City Operations Committee prior to the documents being submitted to the full City Council for decision making. This should happen in late February or early March.

Once the City Council has made a decision as to the details related to the exterior, final bid documents will be developed the project put out to bid with an expected construction date to begin early May.

Personal Home Rentals

JUNE 2009

HOME RENTALS

Many property owners are not aware that they may be required by law to collect and remit retail sales tax, and possibly other lodging taxes, if they rent out their homes for periods of less than 30 days. These short term rentals are referred to as "transient rentals." This fact sheet contains important information for people who rent out their personal homes, including condominiums and time share units, located in Washington.



TRANSIENT RENTAL BUSINESS

Anyone who intends to regularly engage in a transient rental business must collect and report taxes. Examples of intent to engage in the transient rental business include advertising the availability of your personal home for transient rental in a newspaper, on the Internet, or hiring a property manager to handle the rental of your home.

The Department of Revenue will presume that if you rent your home three or more times in a year for periods of less than 30 days each you are engaged in a taxable business activity. A long term rental where the guest contracts in advance to stay more than 30 days is not a taxable business activity and is not counted in determining the threshold for collecting and reporting taxes. If you are in the transient rental business, you must register with the Department and collect and remit retail sales tax and lodging taxes on all transient rentals. The tax is reported and paid by filing a state excise tax return. Once registered with the Department, a tax return will be mailed to you.

TAX OBLIGATIONS

Tax must be collected on transient rentals during the first calendar year in which you exceed two transient rentals. The tax is collected the third time the property is rented in the first year. All subsequent years, even if you only rent your home once or twice, tax must be collected and reported on all transient rentals.

COLLECTING TAXES FROM YOUR RENTERS

Both the state and local sales tax rate must be collected from guests at the time they are billed for the rental. The state rate is 6.5 percent, and the local rate depends upon where the rental property is located. Local sales tax rates range from 0.5 to 3.0 percent.

In addition to the regular sales tax, the Special Hotel/Motel Tax may apply at rates from 1.0 to 5.0 percent in certain areas. Other lodging taxes also apply to businesses with multiple units, but these do not currently apply to single home rentals. These include the Convention and Trade Center Tax and the Tourism Promotion Area Charges.

PROPERTY MANAGERS MUST COLLECT AND REMIT TAXES ON THE HOMEOWNER'S BEHALF

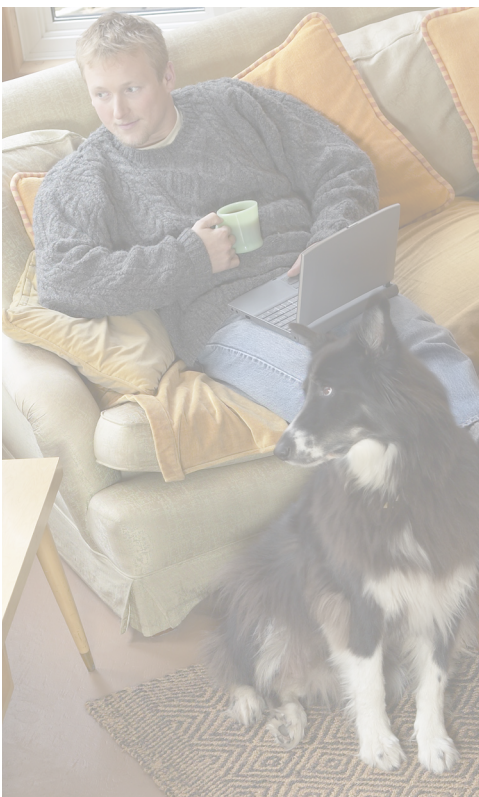
While you are not required to collect sales tax until the third transient rental in a calendar year, all transient rentals through property management services are taxable. The property manager is required to collect sales tax and lodging taxes on your behalf, even if there is only one rental listed with the property management in the first year. You should be aware that as a property owner, you may be liable for any taxes not collected by the property manager.

Examples of Taxability

	Rental Scenario	Tax Obligation
1st year	John bought a cabin as a retirement home on San Juan Island. He considered renting the cabin when he would not be using it. John had no idea how often he might rent it, but by word of mouth, he rented it out once within the first calendar year for 10 days.	John is not required to register with the Department of Revenue, or to collect sales tax and other lodging tax because he did not intend to rent his cabin out frequently, and he only entered into one rental agreement during the year.
2nd year	John rented the home five times with five separate rental agreements as follows: Rental #1 - 30 days Rental #2 - 32 days Rental #3 - 35 days Rental #4 - 14 days Rental #5 - 21 days	John is not required to register with the Department of Revenue, or collect sales tax/lodging taxes. Only the transient rentals are counted in determining the taxable threshold, and John engaged in only two transient rentals (less than 30 days) during the year.
3rd year	John rented the house four times, each for a period of less than 30 days.	John needs to register at the time he rents out his house for the third rental period during this year. John must collect tax on both the third and fourth rental periods, and remit the collected taxes to the Department of Revenue.
4th year	John rents out his house only once for a period of 29 days.	The very first transient rental is subject to sales tax/ lodging taxes because John exceeded the taxable threshold in year three. Also, for all years after this year, John must collect taxes on all transient rentals.

BUSINESS AND OCCUPATION (B&O) TAX

If you are a property owner you are responsible for paying any "retailing" B&O tax due. This is a tax calculated on gross receipts of the business. The rate is currently 0.471 percent (\$4.71 per thousand dollars of taxable rental income). However, you may qualify for the Small Business B&O Tax Credit, depending on the amount of the rental income. For information on the credit, call our Telephone Information Center toll free at 1-800-647-7706, or see our Small Business B&O Tax Credit Table, available online at dor.wa.gov. The information will also be mailed to you in our new business packet once your tax reporting account has been established.



PAYING THE TAXES COLLECTED

Taxes are reported by filing a state excise tax return. On the return report your taxable rental income and calculate state and local taxes due. You will receive excise tax returns regularly once you register with the Department.

Registering with the Department of Revenue

You can register one of two ways:

- Go to our web site, dor.wa.gov, and click on "Get a form or publication." Under Forms click on "Business License Application."
- Call us toll free at 1-800-647-7706 to request an application. Complete and send it to the address noted on the application.

Once registered, you will receive a business license and a Unified Business Identifier (UBI) from the Department of Licensing. This UBI number is a unique number assigned to you, and it is the "registration number" used for reporting to the Department of Revenue.

Electronic Filing – Reporting the Fast and Easy Way

File and pay your returns electronically using E-file. It is the fastest and easiest way to report. We also offer a variety of electronic payment methods. To learn more, go to our web site at dor.wa.gov and click on "File my taxes online," then click "Learn about E-file benefits" and watch the video. If you have questions or need assistance, you may also call our tax specialists at 1-800-647-7706.



LODGING TAXES

Examples of Lodging Taxes by location (excluding taxes currently imposed on transient rental facilities with multiple units):

City	Retail Sales Tax	Special Hotel/Motel Tax	Calculation example*
Spokane	0.087	None if fewer than 40 rooms	\$52.20 (\$600 x 0.087)
Seattle	0.095	None	\$57.00 (\$600 x 0.095)
Leavenworth	0.080	0.03	\$66.00 (\$600 x 0.11)
Vancouver	0.082	0.02	\$61.20 (\$600 x 0.102)
Ocean Shores	0.083	0.03	\$67.80 (\$600 x 0.113)

* The calculation examples reflect taxes due assuming a single unit rented for \$600. The tax rates reflect rates in effect as of the date of publication, and are subject to change.

TELEPHONE INFORMATION CENTER

1-800-647-7706

WEB SITE
dor.wa.gov

REQUEST FOR LETTER RULING

If you would like to request a ruling on the taxability of your activities, write to:

**Taxpayer Information and Education
Washington State
Department of Revenue**
PO Box 47478
Olympia, WA 98504-7478

NOTE: Personal property taxes may apply to the value of your household items, including furniture, appliances, artwork, and any other item of tangible personal property used to furnish a home that is rented out. However, there may also be certain exemptions available. Contact your county assessor for details on how to report the personal property, and how to claim any exemptions from the tax.

To inquire about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users please call 1-800-451-7985.

The information contained in this fact sheet is current as of the date of this publication and provides general information about Personal Home Rentals. It does not cover every aspect of the tax, nor does it alter or supersede any administrative regulations or rulings issued by the Department of Revenue.





CITY OF STEVENSON

7121 E Loop Road, PO Box 371, Stevenson, WA 98648

2018 Vacation Rental Application

(Stevenson Sales Tax Location Code 3002)

Vacation Rental Address: _____

Vacation Rental Tax Lot #: _____ Vacation Rental Telephone #: _____

WA State Business License (UBI) #: _____ Tax Reporting Frequency: _____

Owner Name: _____

Contact Person: _____

Phone #: _____

Phone #: _____

Email Address: _____

Email Address: _____

Permanent Residence: _____

Contact Person Address: _____

City: _____

City: _____

State: _____ ZIP: _____

State: _____ ZIP: _____

Mailing Address: _____

Mailing Address: _____

City: _____

City: _____

State: _____ ZIP: _____

State: _____ ZIP: _____

If the Owner is not a permanent resident of the Local Area (Clark, Klickitat, or Skamania counties in Washington, Hood River or Multnomah counties in Oregon), **a Contact Person from the Local Area is required.**

Submittal Checklist: Fill in the information requested and initial each statement to certify its truth and accuracy.

_____ This vacation rental home will collect and remit state and local sales and use taxes and special hotel/motel taxes as required by the City and State of Washington Department of Revenue.

_____ The City has the right to provide the names and phone numbers of the owner and contact person to help resolve disruptions caused by the vacation rental home.

_____ The City is authorized reasonable access to the vacation rental home to carry out the administrative duties of SMC 5.20. The last Vacation Rental Inspection was conducted on _____.

_____ The Good Neighbor Guidelines will be provided to guests of the vacation rental home. The Guidelines will ___/will not___ be incorporated into the occupant's rental contract.

_____ The annual neighborhood notice will be sent or handed out to all owners and/or occupants of adjacent and abutting property.

_____ There are ___ off-street and ___ on-street parking spaces available to the vacation rental home. It is understood that on-street spaces are not for the exclusive use of the vacation rental home, and a diagram of parking spaces will be provided to guests which expresses this.

_____ This vacation rental home will maintain liability insurance covering its use as a vacation rental home.

Incomplete applications will not be accepted. • Please ensure that all fees & submittals are included

Applicant Name: _____ Signature: _____ Date: _____

_____ Check here if this property is no longer used as a Vacation Rental Home

Office Use Only:	Application Fee:		
Account #001 000 000 321 90 00	Date:	Receipt #:	License #:



City of Stevenson

Vacation Rental Home

Good Neighbor Guidelines

Hello new neighbors! However long you stay, Stevenson welcomes you as part of our community. We like our small town charm, and we think you will like it too. Remember though, we're all on this merry-go-round together. These Good Neighbor Guidelines are available to help us keep our small town an amazing place to live, work and play.

1. **24-Hour Contact Information.** If at any time you have concerns about your stay in regards to your neighbors, please call the contact number listed in the rental lease agreement or posted in the unit. In the event of an emergency, please call 911.
2. **General Respect for Neighbors.** Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors, their privacy, and their property.
3. **Noise.** Be considerate of the neighborhood and your neighbor's right to the quiet enjoyment of their home and property, especially after 10 PM.
4. **Maintenance of Property.** Be sure to pick up after yourself and keep the property clean, presentable and free of trash.
5. **Parking.** Refer to the parking diagram posted in the unit and park *on-site* whenever possible. Do not park on lawns or in a manner which blocks driveways, sidewalks, alleys or mailboxes. *On-street* parking is a community resource, don't be surprised to see a neighbor parked in front of the home you are renting.
6. **Traffic Safety.** Drive slowly through neighborhoods and watch for pedestrians and children playing. Better yet, our streets, sidewalks and trails offer safe, convenient, and interesting alternatives to your in-town destinations.
7. **Fires.** Our wonderful summer weather lends itself to heightened fire hazards. Help us all stay safe from wildfires by fully extinguishing cigarettes and abiding all seasonal and emergency bans on recreational fires.
8. **Pets.** Promptly clean-up after your pets. Prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets, and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
9. **Tenant/Guest Responsibility.** Approved guests and visitors are expected to follow the Good Neighbor Guidelines. Be Sure to read your rental agreement for additional terms and restrictions which may include consequences for violating the Good Neighbor Guidelines.



Vacation Rental Inspections

Protection

The primary objective is to provide the guests of vacation rental homes with a measure of protection based on the provisions of the Residential Building Code. Just as important, however, is good common sense on the part of the owner in providing a safe environment for his or her guests.

Smoke Detection

Smoke detectors are one of the most important standards for the protection of the public. They provide early notification to the tenants in the event of a fire for their quick exit from the building during this critical time frame. Detectors should be located on every level of the dwelling including the basement, inside every bedroom, and outside the immediate vicinity of the bedroom and be loud enough to wake sleeping persons.

Carbon Monoxide Detection

If the rental unit is equipped with gas burning appliances or has an attached garage, carbon monoxide detection shall be installed in the area within the bedrooms or giving access to the bedrooms.

Egress

In addition to smoke detection, proper exiting from the building is critical to escape. Means of egress include all components in the normal path of travel to the outside of the building. There should be no unusual obstructions in the exit route to the outside of the building.

Doors should have a clear width of 32 inches to facilitate egress. The door width requirement may be reduced to 28 inches in older buildings subject to the authority having jurisdiction. Doors shall swing freely with no sticking.

Floors should be level with minimum changes in elevation.

Corridors should be at least 36 inches wide and have minimal projections entering the space, including furniture and decorations, so as to not slow down persons exiting from the building.

Door locks in the egress passages should be easily unlocked without any undue hardship or tools.

One and two-family dwellings must have a primary and secondary means of egress. The primary means is generally a door leading into the building with egress windows serving the secondary means of egress from bedrooms. Windows should open easily without undue effort. Third floor bedrooms will require additional fire escape stairs.

Attached garages must be separated from the dwelling unit by fire grade sheetrock and a fire door leading into the structure. Primary egress through a garage is not acceptable.

General Housekeeping

Common sense goes a long way towards maintaining a safe rental property.

Keep critical areas free of combustible materials and obstructions. Critical areas include woodstove spaces, heating devices, oil tanks, electrical panels, and similar areas. Keeping these areas clear also grants service personnel access for repairs.

Keep exit passages free of obstructions including furniture, bikes, decorations, etc.

Provide the renter with important information such as contact telephone numbers to eliminate confusion when a problem occurs.

Include instructions for the renter that contain clear directions to the property which renters can relay to the Dispatch Center in the event of an emergency.

Place appropriate signage with the 911 address clearly visible to direct responders to the property.



CITY OF STEVENSON

7121 E Loop Road, PO Box 371, Stevenson, WA 98648

TO: **Neighboring Properties**

FROM: _____ **LICENSE #:** _____

DATE: _____

SUBJECT: **Vacation Rental Home in Your Neighborhood**

Hello,

A property in your neighborhood recently received a license to operate as a vacation rental home. The City views vacation rental homes as a valuable component of our tourism economy, but it also values the peace and comfort of its residents and property owners. The owners of the property located at

(Vacation Rental Home Address)

hope its use as a vacation rental home will not disturb your peace and comfort.

As a property owner or occupant adjacent to or abutting the address above, this notice provides you with the contact information of the vacation rental home's owner. You are encouraged to contact them with any questions or concerns about the property's use as a vacation rental home, and especially if the guests of the home are inconsiderate of the attached Good Neighbor Guidelines. The property's continued use as a vacation rental hinges on its ability to avoid neighborhood disruptions, and the contacts below hope to deal with issues before they become an unbearable nuisance or require any investigative effort or corrective action by the City.

Owner Name: _____ **Phone #:** _____

Local Contact: _____ **Phone #:** _____

The representatives above can be treated as your first line of defense against neighborhood intrusions from vacation rentals, but if they are unresponsive or continually unsuccessful at addressing your concerns, the City is there for you as well:

City Hall Phone #: (509)427-5970

Sheriff's Office Non-Emergency Phone #: (509)427-9490

Sheriff's Office Emergency Phone #: 911

Please save this letter or bookmark <http://ci.stevenson.wa.us/vacationrentalregistry>

Thank you,

Vacation Rental Home Owner/Operator

CITY OF STEVENSON

RESOLUTION NO. 2016-285

ESTABLISHING FEES RELATED TO THE LICENSING OF VACATION RENTAL HOMES.

WHEREAS, the adoption of Ordinance 2016-1091 creates a vacation rental program which involves the review of application materials and issuance of a Vacation Rental License; and

WHEREAS, Ordinance 2016-1091 authorizes the city establish and periodically adjust nonrefundable application fees for the review and issuance of Vacation Rental Licenses; and

WHEREAS, the policies of the Vacation Rental Program are intended to benefit the local economy, reduce administrative burdens and barriers to entry, ensure market fairness and taxation, protect guests, and avoid unchecked neighborhood disruptions; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Stevenson that fees in the following, nonrefundable amount shall be paid to the City by persons applying for vacation rental licenses:

Vacation Rental Application Fees	
New License	\$200
License Renewal	\$200
Prorated Licenses	For applications received after June 30 th , the application fees may be reduced to 50% of the fee listed above.
Appeals	\$0
Labor, Overhead, and Outside Consultant Review	At the discretion of the City Administrator, the actual costs for labor, overhead, and expenses for outside consultant reviews and/or special inspections may be added to the above application fee.

BE IT FURTHER RESOLVED, that this resolution shall be effective concurrent with the effective date of Ordinance 2016-1091.

PASSED in regular session this _____ day of _____, 2016.

Mayor of the City of Stevenson

ATTEST:

Clerk of the City of Stevenson

APPROVED AS TO FORM:

Attorney for the City of Stevenson

Chapter 5.20 - VACATION RENTAL HOMES

Sections:

5.20.005 - Findings, intent and purpose.

- A. In the adoption of these regulations, the city that the rental of dwelling units for less than thirty days is an important contributor to the comprehensive plan's tourism goal. The city also finds that these vacation rentals are part of an emerging market that has the potential to be incompatible with surrounding residential uses.
- B. The regulations below are intended to ensure special regulation of vacation rentals that will:
 - 1. Benefit the local economy;
 - 2. Reduce administrative burdens and barriers to entry;
 - 3. Ensure market fairness and taxation;
 - 4. Protect guests; and
 - 5. Avoid unchecked neighborhood disruptions.
- C. This chapter provides an administrative framework for licensing the annual operation of a vacation rental home. A vacation rental home license is a limited permission to use property for vacation rental purposes. A license may be modified or revoked if the standards of this chapter are not met.

(Ord. No. 1091, § 2, 3-17-2016)

5.20.010 - Definitions.

As used in this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- A. "Contact Person." The owner or, if designated on the application for a license, the management representative authorized to act for the owner.
- B. "Dwelling Unit." One or more rooms occupied, designed or intended for occupancy as separate living quarters, and containing four or more of the following:
 - 1. Refrigeration;
 - 2. Cooking facility (including cooking stove, hot plate, range hood, microwave, or similar appliance) or wiring or venting to support same;
 - 3. Dishwashing machine;
 - 4. Sink intended for meal preparation (not including a wet bar);
 - 5. Garbage disposal;
 - 6. Toilet;
 - 7. Shower or bathtub.
- C. "Local Area." All areas in the Washington counties of Clark, Klickitat and Skamania and the Oregon counties of Hood River and Multnomah.
- D. "Owner." The natural person or legal entity that owns and holds legal and/or equitable title to the property.

- E. "Remuneration. Compensation, money, rent or other bargained for consideration given in return for use, rent, or occupancy of a vacation rental home.
- F. "Vacation Rental Home." A dwelling unit for which an owner receives or seeks remuneration for use or occupancy for a period of less than thirty consecutive days per rental period.
- G. "Vacation Rental License or License." The regulatory license required by SMC 5.20.15 and described in this chapter.

(Ord. No. 1091, § 3, 3-17-2016)

5.20.015 - Vacation rental license required.

No owner of property within the Stevenson city limits may advertise, offer, operate, rent, receive remuneration for, or otherwise make available or allow any other person to make available for occupancy or use a vacation rental home without a vacation rental license. Advertise or offer includes through any media, whether written, electronic, web-based, digital, mobile or otherwise.

(Ord. No. 1091, § 4, 3-17-2016)

5.20.020 - Application and fee.

- A. Application Required. An application for a vacation rental license shall be completed and submitted to the city on a form provided by the city. The application shall be signed by the owner or contact person and contain the following information:
 - 1. Owner Information. Owner's name, permanent residence address, telephone number, owner's mailing address, and the vacation rental home address and telephone number.
 - 2. Contact Person Information. If the owner does not permanently reside in the local area or is not always available when the property is being rented, the owner shall provide the name, telephone number and email of a contact person from the local area to represent the owner regarding the use of the property and/or complaints related to the vacation rental home as set forth in SMC 5.20.040(C).
 - 3. Tax Information. A statement of intent to collect and remit all taxes associated with the vacation rental home.
 - 4. Inspection Access. A statement allowing the city reasonable access to the property for the purpose of reviewing the proposal for the health and safety requirements set forth in SMC 5.20.040(D).
 - 5. Right to Publish Contact Information. A statement allowing the city to make owner and contact person phone numbers publicly available at City Hall.
 - 6. Neighborhood Notice. A statement of intent to notify neighbors as required by SMC 5.20.040(A).
 - 7. Good Neighbor Guidelines. A statement of intent to provide the city-provided Good Neighbor Guidelines to guests of the vacation rental home.
 - 8. Parking Diagram. A statement of intent to provide guests of the vacation rental home with a diagram of parking spaces that are available to or intended for use by the vacation rental home.
 - 9. Liability Insurance. A statement of intent to provide liability insurance coverage as required by SMC 5.20.040(G).
 - 10. Such other information as the city administrator deems reasonably necessary to administer this chapter.

- B. Application Fee. Applications under this section shall be accompanied by a nonrefundable fee payable to the city in an amount established and periodically adjusted by the city council. Application fees may be prorated if issued for less than half of the annual term.
- C. Discretionary Fees. At the discretion of the city administrator, the application fee may include the actual costs for labor, overhead, and expenses for outside consultant reviews and/or special inspections.

(Ord. No. 1091, § 5, 3-17-2016)

5.20.025 - Term of annual license.

A vacation rental license shall be issued for a period not to exceed one year, with its effective date running from the date the license is issued to December 31st and may be renewed annually by the owner or contact person provided all applicable standards of this chapter are met.

(Ord. No. 1091, § 6, 3-17-2016)

5.20.030 - Licensing and renewal procedures.

A vacation rental license shall be obtained and/or renewed as required in this section. The ability to operate a vacation rental home in the city of Stevenson shall be discontinued for failure to obtain or renew a license to operate as provided in this chapter.

- A. Application and Renewal Process. A person engaging in operation of a vacation rental home who has not yet obtained a license, or who is required to renew an existing operating license, shall do so as follows:
 - 1. Time for Application.
 - a. New Licenses. For new vacation rental licenses, it is the responsibility of the owner or contact person to apply for and receive a license prior to operation of a vacation rental home.
 - b. Existing Vacation Rental Homes. A completed license renewal application and renewal fee is due for all existing short-term rentals annually by December 31st.
 - 2. Notice. Prior to the December 31st annual due date, the city shall send notice of the need for a license or expiration of a license to the owner of any property for which an application is due as follows:
 - a. For the first license required for any vacation rental home in the city, it is the owner's obligation and responsibility to apply for a license.
 - b. For license renewal, notice will be sent to the mailing and email addresses of the owner and contact person as provided to the city on the application.
- B. License Expiration. For failure to submit an application, upon expiration of the thirty-day late period, the ability to operate shall be conclusively presumed to be discontinued with no further action by the city. For renewals, upon expiration of the late period, the ability to operate shall be conclusively presumed to be discontinued and the city will commence revocation of the license pursuant to the procedures in SMC 5.20.045.

(Ord. No. 1091, § 7, 3-17-2016)

5.20.035 - Criteria for approval and renewal of a license.

- A. New License. Upon receipt of a complete application for a new vacation rental license and payment of all required fees, the city administrator or designee will issue a vacation rental license.

- B. License Renewal. Upon receipt of a complete application for renewal of a vacation rental license and payment of all required fees. The city will review the application and available information to determine compliance with the operational requirements of SMC 5.20.040. If not met, the city administrator or designee will not renew the license and the property shall not be used as a vacation rental home. Alternatively, the city administrator may issue the license subject to reasonable special operational standards.
- C. Owner's Role. The owner has the burden of proof to demonstrate compliance with each operational requirement and special standard placed on the vacation rental license. Staff may verify evidence submitted and the applicant shall cooperate fully in any investigation.
- D. Appeals. A decision on a license application or renewal may be appealed as provided in SMC 5.20.055.

(Ord. No. 1091, § 8, 3-17-2016)

5.20.040 - Operational requirements.

- A. Notice to Neighbors. The owner or contact person shall provide an annual mailing or otherwise distribute by hand, a flier to all property owners of record and/or occupants of properties adjacent to and abutting the property licensed as a vacation rental home. The notice shall include the license number and the telephone number of the owner and contact person. The purpose of this notice is so that neighboring property owners and residents can contact a responsible person to report and request resolution of problems associated with the operation of the vacation rental home. If the permanent contact information changes during the license period, the new information must be mailed or distributed again.
- B. Public Availability. In addition, the city will make a registry publically accessible within which any person can obtain the owner and contact person's name and telephone number. If the permanent contact information changes during the license period, the new information must be provided to the city.
- C. Response to Complaints. The owner or contact person shall respond to neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances.
 - 1. Owner Responsibility. Reasonable initial inquiries or complaints related to the expectations set in the Good Neighbor Guidelines may first be made to the owner or contact person. However, it is not intended that the owner or contact person act as a peace officer or code enforcement officer of the city or put themselves in an at-risk situation. In such cases, the owner or contact person should contact the city to discuss resolution of the complaint.
 - 2. Complaint Log. The owner or contact person should maintain a record of complaints and the actions taken in response to the complaint, if relevant, in a manner reasonable to document the interaction. If kept, this record can then be made available for city inspection upon request.
 - 3. City Authority. If there is a failure to respond or a clearly inadequate response by the owner or contact person, a complaint may be submitted to the city on a form provided by the city, and the city will respond or investigate as needed. The city will first seek voluntary compliance or resolution, but if the city finds substantial evidence supports further action given the complaint(s), the city will follow the warning and revocation procedures set forth in SMC 5.20.045.
 - 4. Records. On request and in compliance with the public records law, the city shall provide the owner and/or contact person with the information in the complaint.
 - 5. Grounds for Warning. Repeated failure of the owner or representative to timely and reasonably respond to a complaint(s) relayed by city staff is considered grounds for a warning and potential revocation under SMC 5.20.045. Repeated noise complaints regarding tenants may be grounds for a warning to the owner, if, in the reasonable judgment of the city administrator, the circumstances indicate the owner should be held responsible. Initiating a nuisance enforcement

action under SMC 8.45 or SMC 8.60 may be grounds for a warning in the appropriate circumstances.

6. Administrative Rules. The city administrator may establish administrative rules to interpret, clarify, carry out, and enforce the provisions of this chapter. A copy of such administrative rules shall be on file and made available at City Hall.
- D. Health and Safety. Every vacation rental license shall be subject to inspection by the building official or designee at the city's discretion, but no less than once every five years. The purpose of the inspection is to determine conformance with the Vacation Rental Fire Safety Checklist (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.). It is the owner's responsibility to assure that deficiencies identified in the checklist are addressed and that the vacation rental home is and remains in substantial compliance with all applicable fire, building, and safety codes and other relevant laws, whether identified on the vacation rental fire safety checklist or not.
- E. Taxation. The owner shall fully comply with all applicable city and state tax reporting and payment requirements, especially lodging taxes due to the city under SMC 3.03 and retail sales and use taxes due under SMC 3.08.
- F. Mandatory Postings. Important information related to the licensing and use of the vacation rental home shall be displayed in a prominent location within the interior of the dwelling, either adjacent to the front door or in a highly visible rental binder. The information shall include:
 1. The vacation rental license;
 2. Any special standards placed on the vacation rental license;
 3. The property address;
 4. The name of the owner and contact person and a telephone number where the owner and contact person may be contacted;
 5. The parking diagram of the parking spaces available for use by the vacation rental home. The parking diagram may include on-street parking areas, but on-street parking is not for the exclusive use of any home or vacation rental home;
 6. The city-provided Good Neighbor Guidelines. Additionally, the city encourages all owners to incorporate the Good Neighbor Guidelines into the rental contract.
- G. Liability Insurance. The owner shall maintain liability insurance which expressly covers the dwelling unit's use as a vacation rental home.

(Ord. No. 1091, § 9, 3-17-2016)

5.20.045 - Revocation procedure.

- A. In addition to the penalties described in SMC 5.20.050, the following provisions apply to violations of this chapter:
 1. Failure to renew a license as set forth in SMC 5.20.030 is grounds for immediate revocation of the vacation rental license.
 2. Failure to meet the operational requirements of SMC 5.20.040(E) is grounds for immediate revocation of the license.
 3. The discovery of material misstatements or providing of false information in the application or renewal process is grounds for immediate revocation of the license.
 4. Such other violations of this chapter of sufficient severity in the reasonable judgement of the city administrator, so as to provide reasonable grounds for immediate revocation of the license.
 5. Other violations of this chapter, including but not limited to city initiated investigation/sustaining of complaints, shall be processed as follows:

- a. For the first and second violations within a twelve-month period, the sanction shall be a warning notice.
 - b. If the same offense continues to occur or a third similar offense occurs at any time during a twelve-month period, the city may either issue a third warning, update the license to include reasonable special operational standards, or revoke the license.
- B. Notice of Decision/Appeal/Stay. If the vacation rental license is updated or revoked as provided in this section, the city administrator shall send written notice to the owner stating the basis for the decision. The notice shall include information about the right to appeal the decision and the procedure for filing an appeal. The owner may appeal the city administrator's decision under the procedures set forth in SMC 5.20.055. Upon receipt of an appeal, the city administrator shall stay the update or revocation decision until the appeal has been finally determined by the city council.

(Ord. No. 1091, § 10, 3-17-2016)

5.20.050 - Violations—Penalties.

- A. In addition to the revocation procedures of SMC 5.20.045, any person or owner who uses, or allows the use of, property in violation of this chapter is subject to the enforcement authority of SMC 1.18 - Civil Violation and Abatement, SMC 8.45 - Nuisances, and/or SMC 8.60 - Public Nuisances. Each day a dwelling is used in violation of this chapter shall be considered a separate violation.
- B. The following conduct also constitutes a violation of this chapter and is a Class I Civil Infraction:
 - 1. Representing a dwelling as available for occupancy or rent as a vacation rental home where the owner does not hold a valid license issued under this chapter, or making a vacation rental home available for use, occupancy or rent without first obtaining a valid operating license;
 - 2. Advertising or renting a short-term rental in a manner that does not comply with the standards of this chapter; and
 - 3. Failure to comply with the operational requirements of SMC 5.20.040.

(Ord. No. 1091, § 11, 3-17-2016)

5.20.055 - Violations—Penalties.

- A. Appellant—Standing. The owner or contact person may appeal a decision by the city to deny, revoke or attach special operational standards to a vacation rental license.
- B. Authority to Decide Appeal. The city council shall be responsible for determining an appeal of a decision brought under SMC 5.20.055(A).
- C. Time for Filing. An appellant is required to file a written notice of appeal including the basis for the appeal within fourteen calendar days of the license determination being appealed. This requirement is jurisdictional and late filings shall not be allowed.
- D. Fee for Appeal. The city council may establish by resolution a fee for filing an appeal, which shall be jurisdictional.
- E. Hearing. After receiving written notice of appeal, the city administrator shall schedule a hearing on the appeal before the city council. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant. The council may direct the city attorney to draft findings of fact and interpretations of code or law to be considered at a later Council meeting.
- F. Standard of review and decision. The council shall determine whether the city's decision was based on a preponderance of the evidence. A decision of the council shall be based on the evidence received,

in writing and signed by the mayor, and issued no later than thirty calendar days after the close of the hearing.

- G. Finality. The council's decision shall be final on the date of mailing the decision to the appellant. The council's decision is the final decision of the city and is appealable only by writ of review to Superior Court.

(Ord. No. 1091, § 12, 3-17-2016)

5.20.060 - Discontinuance of vacation rental occupancy.

- A. After Revocation. After a vacation rental license has been revoked, the dwelling unit may not be used or occupied as a vacation rental home unless a new license is issued, and the owner of the property to which the license applied and whose license has been revoked shall not be eligible to reapply for a vacation rental license for vacation rental home on the same property for a period of 12 months from the date of revocation.
- B. After Expiration. If a vacation rental license expires, the dwelling unit may not be used or occupied as a vacation rental home. The owner of the property to which the license applied and whose license has expired shall be required to apply for and obtain a vacation rental license before the property may be lawfully used or occupied as a vacation rental home.

(Ord. No. 1091, § 13, 3-17-2016)

5.20.065 - Remedies not exclusive.

The remedies provided in this chapter are in addition to, and not in lieu of, all other legal remedies, criminal and civil, which may be pursued by the city to address any violation of this code.

(Ord. No. 1091, § 14, 3-17-2016)



Agenda Memo - Community Development Committee Meeting

Subject: Postal Delivery

Date: January 15, 2019

The City of White Salmon staff have researched this issue with the US Postal Service. It is staff's understanding that delivery of mail at resident's individual properties will not occur (i.e. to a mail slot or box adjacent to a resident's front door). There is history between the city and the US Postal Service that resulted in residents obtaining their mail at the local Post Office. However, there is no firm documentation of this history.

However, it may be possible that a bank of mail boxes can be established within the city right-of-way to accommodate mail delivery at a closer location. The post office will not pay for the bank of mail boxes. This would need to be paid for by the residents or the city. Residents may have to walk several blocks to pick up their mail. The US Postal Service has regulations about how these banks of mail boxes are to be installed. This type of mail delivery may not always be ideal as residents will still have to travel to the post office to obtain certified or registered mail or packages that are too big to fit in the mail boxes. In addition, it might not be ideal for residents who are disabled and unable to travel from their home to the banks of post offices. It is also staff's understanding that when a bank of mail boxes is installed to service a specific area, those addresses are no longer eligible for a "post office box" at the local post office. It is an all or nothing scenario.

As properties are annexed into the city limits, there are areas within White Salmon that now gets deliveries to the street addresses or to a bank of mail boxes.

Conversations with the local post master or the regional post master may need to be scheduled to confirm what can take place within the city limits of White Salmon.