

ORDINANCE NO. 1417

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PALM DESERT, CALIFORNIA UPDATING CHAPTER 5.10
SHORT-TERM RENTALS AND MAKING A FINDING OF
EXEMPTION UNDER CEQA.

City Attorney's Summary

The purpose of this ordinance is to amend Palm Desert Municipal Code Chapter 5.10 Short-Term Rentals to update definitions and references, to clarify the City's short-term rental restrictions, and to phase out off-site short-term rental permits in Hillside Planned Residential (HPR) zone.

THE CITY COUNCIL OF THE CITY OF PALM DESERT DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1. Amendment to Municipal Code. The City Council hereby adopts the updated Palm Desert Municipal Code Chapter 5.10 Short-Term Rentals, attached hereto as Attachment "A."

SECTION 2. CEQA Exemption. The City Council finds that the updated short-term rental ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), known as the "common sense" exemption. This determination is based on the clear assessment that there is no possibility the ordinance may have a significant effect on the environment. The ordinance primarily provides administrative clarifications regarding where short-term rentals are permitted, focusing on specific residential zoning areas without expanding land use or initiating new developments, thereby maintaining existing environmental baselines. It ensures operational continuity for existing short-term rentals through defined phasing out periods for specific permits, thereby preventing abrupt changes in land use intensity. The adjustments are administrative in nature and do not involve any construction, physical alterations, or increases in development intensity. The ordinance reaffirms current use regulations and does not alter existing physical environmental conditions or promote increased development, thus qualifying for the CEQA "common sense" exemption as it bears no potential for significant environmental impact.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. Posting and Publication. The City Clerk of the City of Palm Desert, California, is hereby directed to publish a summary of this Ordinance in the *Desert Sun*, a newspaper of general circulation, published and circulated in the City of Palm Desert, California, and shall be in full force and effective thirty (30) days after its adoption.

ADOPTED ON _____, 2024.

KARINA QUINTANILLA
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, California, do hereby certify that Ordinance No. 1417 is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Desert City Council on October 10, 2024, and adopted at a regular meeting of the City Council held on _____, 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK

Attachment "A"

Chapter 5.10 SHORT-TERM RENTALS**5.10.010 Title.**

This chapter shall be referred to as the "Short-Term Rental Ordinance."

5.10.020 Purpose.

A. The purpose of this chapter is to regulate privately-owned residential dwellings, including those managed by homeowners' associations, used as short-term rental units within the city. This chapter seeks to ensure the payment and collection transient occupancy taxes (TOT) and tourism business improvement district (TBID) assessments, while minimizing the potential negative effects of short-term rental units on surrounding residential neighborhoods.

B. This chapter is not intended to allow any residential property owner to violate any private conditions, covenants, and restrictions applicable to the owner's property that may prohibit the owner from using his or her property as a short-term rental unit, as defined in this chapter.

C. The city reserves the right to change the regulations provided in this chapter at any time, including discontinuing the issuance of short-term rental unit permits, notwithstanding any impacts to existing or future short-term permit holders. Anyone accepting a short-term rental unit permit pursuant to this chapter acknowledges and accepts that possibility.

5.10.030 Definitions.

For purposes of this chapter, the following words and phrases shall have the meaning ascribed to them by this section:

"Accessory Dwelling Unit" has the same definition as provided in PDMC Section 25.99.020 Land Use Definitions.

"Actively operating" means a short-term rental that is rented out/occupied for a total of more than eighteen (18) days per calendar year.

“Apartment” has the same definition as provided in PDMC Section 25.99.020 Land Use Definitions.

“Applicable laws, rules and regulations” means any laws, rules, regulations and codes (whether local, state, or federal) pertaining to the use and occupancy of a privately-owned dwelling unit as a short-term rental.

“Applicant” means a host or operator applying for a new or renewal short-term rental permit.

“Bedroom” means a private habitable room other than a kitchen, bathroom or living room intended for sleeping that is separated from other rooms by a door, having at least one window that meets the Emergency Escape and Rescue Openings requirements of the California Building Code, has a built-in closet/storage area, and is accessible to a bathroom without crossing through another bedroom.

“Casita” means a detached or attached living quarters, not permitted or restricted as an accessory dwelling unit or junior accessory dwelling unit, which occupies not more than one-tenth of the area of the lot on which it is situated, and is designed for use as a bedroom or office rather than an independent living facility and may have only limited kitchen equipment.

“City manager” means the city manager of the city, or their designee.

“Good Neighbor Brochure” means a document prepared by the city, as may be revised from time to time that summarizes the general rules of conduct, consideration and respect pertaining to the use and occupancy of short-term rental units.

“Guest” means any person who rents, stays at, occupies, or visits the short-term rental unit as a transient occupant. The term “guest” includes any overnight guest and/or any daytime guest.

“Functioning Homeowners’ Association (HOA)” means governing board of a common interest development, formed under the Davis Sterling Act (California Civil Code Section 4100). A Functioning HOA is characterized by the following: there is a common area owned by the association or owners of separate interests, a declaration and final subdivision map have been recorded; each homeowner has been conveyed a separate interest coupled with an interest in the common area or membership in the association; the governing board is elected by the homeowners, and the association includes all residential properties within the recorded subdivision map. Additionally, a Functioning HOA actively governs property uses, enforces community rules, and is responsible for the maintenance and management of the development beyond merely overseeing landscaped areas.

“Host” means a property owner who occupies the property during the entire period of the short term rental.

“Hosting Platform” means an individual or entity that facilitates short-term rental bookings in exchange for a fee or other compensation, either directly or indirectly, by conducting transactions through various means.

“Junior Accessory Dwelling Unit” has the same definition as provided in PDMC Section 25.99.020 Land Use Definitions.

“On-site short-term rental” means a short-term rental at a host’s primary residence where the host remains on the property and resides in a bedroom or casita throughout the guest’s stay, except during daytime or work hours.

“Off-site short-term rental” means a short-term rental where there is no host and the operator resides off-site during the guest’s stay.

“Operator” means an owner or a property manager who offers or manages a dwelling unit, or portion thereof, as an off-site short-term rental unit.

“Owner” means any person or entity having fee-title ownership and/or appearing on the last equalized assessment roll of Riverside County showing controlling interest of the short-term rental unit.

“Primary Residence” means a person’s permanent residence or usual place of return for housing, verified by at least two of the following: driver’s license; voter registration; tax records listing the dwelling as the person’s home; or a utility bill.

“Property” means the actual single-family house or other residential dwelling unit, including all of its improved real property, which is used as a short-term residential rental.

“Responsible person” means a short-term rental unit guest who is at least twenty-five years of age and who is legally responsible for ensuring that all guests of the short-term rental unit and/or their daytime guests comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental unit.

“Short-term rental permit” means a permit, with a permit number, issued by the City to allow on-site or off-site short-term rentals.

“Short-term rental unit” means a privately-owned residential dwelling unit, or portion thereof unless otherwise prohibited, including a casita, that is offered or provided to a guest by an operator for twenty seven (27) consecutive nights or less. The term “short-term rental unit” shall not include hotels, motels, inns, timeshares, or bed and breakfasts.

“Transient” means any person who rents, stays at, or otherwise occupies a short-term residential unit for a period of twenty-seven (27) consecutive nights or less.

“Transient occupancy registration permit” means a permit that allows the use of a privately-owned residential dwelling as a short-term rental unit pursuant to the provisions of Chapter 3.28, Transient Occupancy Tax, respectively.

“Transient occupancy tax” means the tax levied by the city in accordance with Chapter 3.28 of the municipal code. This tax is levied upon individuals or businesses engaged in the rental of sleeping accommodations to the public.

“Zone” has the same definition as provided in PDMC Section 25.99.020 Land Use Definitions.

5.10.040 Authorized agent or representative – Off-site Short-Term Rentals.

A. An owner shall designate an operator to act on the owner’s behalf to ensure compliance with the requirements of this chapter.

B. Notwithstanding subsection A, the owner shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental unit, regardless of whether such noncompliance was committed by the owner or operator or the guests of the owner’s short-term rental unit or their daytime guests.

5.10.050 Permit – Types Required.

C. Short-term Rental Permit Types. An owner ,host, or operator must obtain one of the following short-term rental permit types to advertising, renting, or otherwise operating any short-term rental unit, and shall be responsible for complying with all requirements of this chapter:

1. On-site short-term rental permit. As a condition of the permit, the host shall demonstrate regular occupancy, which may be by neighbor verification or other means sufficient, in the discretion of city manager, to show regular and continuous owner-occupancy prior to and during each rental period.

2. Off-site short-term rental permit.

D. Transient Occupancy Registration Permit. The permit type in subsection A, when issued, shall also serve as the transient occupancy registration permit, as provided in Section 3.28.060, if the applicant satisfies the requirements of this Chapter and Chapter 3.28.

5.10.060 Short-term rental permit for all types— Application and processing requirements.

E. The applicant must submit the following information on an application form provided by the city:

1. The name, address, valid email address, and telephone number of the owner of the subject short-term rental unit.

2. The name, address, valid email address, and telephone number of the operator of the subject short-term rental unit.

3. The address of the proposed short-term rental unit.

4. The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short-term rental unit.

5. Acknowledgement of receipt and inspection of a copy of the Good Neighbor Brochure.

6. Other information the city manager deems reasonably necessary to administer this chapter.

F. A short-term rental permit will not be granted for properties that do not qualify under Section 5.10.070.

G. A short-term rental permit application shall be accompanied by payment of an application processing fee established by resolution of the city council.

H. Within thirty days of a change of property ownership, the new owner shall submit an application and requisite application fee for a new short-term rental permit, if continued short-term rental is desired, which permit must be obtained prior to continuing to rent the subject unit as a short-term rental unit.

I. A short-term rental permit shall not be issued or renewed if there are unresolved city code compliance cases, outstanding city fines or fees, or city liens on the property.

J. A short-term rental permit must be renewed annually to remain valid. Failure to renew a short-term rental permit within thirty calendar days of the expiration date will result in the short-term rental permit being terminated.

K. Short-term rental permit renewals are subject to any intervening changes in this Chapter 5.10 and renewal shall be denied if the short-term rental no longer

qualifies under the requirements of this chapter, unless specifically exempted therefrom. A short-term rental permit shall not be renewed if the unit has not been actively operating in the prior calendar year. A host or operator that is denied a renewal for failure to actively operate may apply for a new short-term rental permit, if otherwise qualified under this chapter.

H. The city may conduct an inspection of the short-term rental unit prior to issuing any new or renewal permit.

I. A short-term rental permit application may be denied if the applicant has had a prior short-term rental permit suspended or revoked.

J. Within thirty (30) days of any change in information previously provided as part of a new or renewal short-term rental permit application, the host or operator shall provide city written notice of such change in information. This includes, but is not limited to, change in operator, change in contact information, or any other change in material facts pertaining to the information contained in the previously submitted short-term rental permit application.

5.10.070 Short-term rental permit—permitted zones and prohibited unit types.

K. On-Site Short-term Rentals

1. Permitted Residential Zones

- a. Estate Residential District (RE)
- b. Single-Family/Mobile Home Residential District (R-1M)
- c. Single-Family Residential District (R-1)
- d. Single-Family Residential District (R-2)
- e. Multifamily Residential District (R-3)
- f. Hillside Planned Residential District (HPR), except when governed by a Functioning HOA and the owner is prohibited under the current Declaration of Covenants, Conditions, and Restrictions (CC&Rs) of the Functioning HOA to operate a short-term rental or prohibited by State law.
- g. Planned Residential District (PR), except when governed by a Functioning HOA and the owner is prohibited under the

current Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the Functioning HOA to operate a short-term rental or prohibited under State law.

- h. Downtown Edge Transition Overlay (DEO)
 - i. Downtown Edge District (DE)
 - j. Downtown (D)
2. Prohibited Unit Types in all zones:
- a. Apartments
 - b. Accessory dwelling units
 - c. Junior accessory dwelling units
 - d. Units with one bedroom or less
- L. Off-Site Short-term Rentals
1. Permitted Residential Zones
- a. Estate Residential District (RE)
 - b. Multifamily Residential District (R-3)
 - c. Hillside Planned Residential District (HPR), if governed by a Functioning HOA and the owner is permitted under state law or the current Declaration of Covenants, Conditions, and Restrictions (CC&Rs) of the Functioning HOA to operate a short-term rental.
 - d. Planned Residential District (PR), if governed by a Functioning HOA and the owner is permitted under state law or the current Declaration of Covenants, Conditions, and Restrictions (CC&Rs) of the Functioning HOA to operate a short-term rental.
 - e. Downtown Edge Transition Overlay (DEO)
 - f. Downtown Edge District (DE)
 - g. Downtown (D)
2. Prohibited Unit Types in all zones:

- a. Apartments
- b. Accessory dwelling units
- c. Junior accessory dwelling units

5.10.080 Off-site short-term rentals prohibited in HPR zone.

M. A new off-site short-term rental permit within the HPR zone will not be issued.

N. Existing off-site short-term rental permits in the HPR zone may be renewed if otherwise qualified, but all such off-site short-term rental permits shall terminate, and such uses permanently cease operation, by December 31, 2026.

O. If an existing off-site short-term rental permit is revoked pursuant to this chapter, and the short-term rental unit is located in the HPR zone, then a new permit will not be issued.

5.10.090 Operational requirements for all types of short-term rental permits.

P. While a short-term rental unit is rented, the host or operator shall be available twenty-four hours a day, seven days a week for the purpose of responding within thirty minutes to complaints regarding the condition, operation, or conduct of guests of the short-term rental unit.

Q. Upon notification that the responsible person and/or any guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental unit, the host or operator shall promptly respond within thirty minutes in an appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any guests. Failure of the host or operator to respond to calls or complaints regarding the condition, operation, or conduct of guests of the short-term rental unit within thirty minutes and in an appropriate manner shall render the host or operator subject to all administrative, legal and equitable remedies available to the city, up to and including short-term rental permit revocation.

R. The host or operator shall post the current short-term rental permit number on, or in, any advertisement appearing in any newspaper, magazine, brochure,

television trade paper, Internet website, etc., that promotes the availability or existence of a short-term rental unit in a place or location deemed acceptable by the city manager. In the instance of audio only advertising of the same, the short-term rental permit number shall be read as part of any advertising. The following shall be clearly identified in any advertisement: (1) the maximum overnight occupancy of the short-term rental unit; (2) requirements for compliance with the city’s noise standards and regulations; and (3) a statement that the short-term rental unit guests shall respect the neighbors’ privacy and enjoyment of their property.

S. The host or operator shall use reasonably prudent business practices to ensure that the guests of the short-term rental unit do not create unreasonable noise in violation of Palm Desert Municipal Code (PDMC) Chapter 9.24, Noise Control or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental unit. The short-term rental unit shall be used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental unit, including Chapter 3.28 (Transient Occupancy Tax).

T. Guests of the short-term rental unit shall comply with all standards and regulations of the PDMC, including and especially Chapter 9.24, Noise Control, and Chapter 9.25, Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events.

U. The minimum duration of a short-term rental unit is three days, two nights. Less than three-day, two-night rentals or leases are prohibited.

V. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom. Additional daytime guests are allowed between the hours of seven a.m. and ten p.m., with the additional maximum daytime guests not to exceed two persons per bedroom with a maximum of twenty guests allowed for five bedrooms or more. If the property is an on-site short-term rental, the host shall be deemed to occupy at least one bedroom, which shall reduce the number of bedrooms available for overnight guests and reduce the total number of daytime guests permitted. The following table illustrates the maximum number of overnight guests and daytime guests permitted for an off-site short-term rental:

Number of Bedrooms	Total of Overnight Guests	Total Daytime Guests (Including Number of Overnight Guests)
1	2	4
2	4	8
3	6	12
4	8	16
5	10	20
6	12	20
7	14	20

W. A short-term rental unit shall not change the residential character of the outside appearance of the residence, either by the use of colors, materials, lighting, or any advertising mechanism.

X. No property use shall cross over any property line.

Y. All parking associated with a short-term rental unit shall be entirely on-site, in the garage, carport, and driveway or otherwise off of the public street.

Z. The city manager shall have the authority to impose additional conditions on the use of any given short-term rental unit to ensure that any potential secondary effects unique to the subject short-term rental unit are avoided or adequately mitigated.

AA. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the city's authorized waste hauler, and only on scheduled trash collection days. The host or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 8.16 (Solid Waste) of the PDMC.

BB. Unless otherwise provided in this chapter, the host or operator shall comply with all provisions of Chapter 3.28 of the PDMC concerning TOT, including, but not limited to, submission of a monthly TOT return in accordance with Section 3.28.070 of Chapter 3.28 of the PDMC, which shall be filed monthly even if the short-term rental unit was not rented during each such month.

CC. Transient occupancy taxes shall be collected on all short-term rentals pursuant to PDMC Chapter 3.28 (Transient Occupancy Tax). If a hosting platform does not collect payment for the rental, hosts or operators are solely responsible for the collection of all applicable TOT and remittance of the collected tax to the City in accordance with Chapter 3.28 (Transient Occupancy Tax). Upon compliance with the Greater Palm Springs Tourism Business Improvement District (TBID) authorized by the California Streets and Highways Code Section 36600 et seq., the host or operator shall also be responsible for collection and remittance of all TBID assessments to the City.

DD. The City will post the short-term rental unit information on the City's website for the public to access.

EE. A short-term rental unit may not be operated as any other commercial home-based business.

FF. If the dwelling unit used as a short-term rental unit is subject to the rules of a homeowners' or condominium association, short-term rental activity must comply with those rules, and this chapter shall not be inferred to grant any permission that invalidates or supersedes any provisions of those homeowners' or condominium associations.

GG. The host or operator shall authorize all hosting platform(s) on which their STR(s) is listed to provide to the City with the host's or operator's listing and other information to demonstrate compliance with all provisions of this chapter.

5.10.100 Procedures for hosts, operators and guests.

Prior to occupancy of a short-term rental unit, the host or operator shall:

HH. Meet and greet the responsible person on-site or virtually and obtain their name, address, and a copy of a valid government identification.

II. Provide the responsible person a copy of the Good Neighbor Brochure.

JJ. Provide the responsible person information about the city's short-term rental regulations.

KK. Require the responsible person to execute a formal acknowledgement in a form acceptable to the city stating that he or she is legally responsible for ensuring that all short-term rental unit guests maintain compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental unit. This information shall be maintained by the host or operator for a period of three years and be made readily available upon request of any officer of the city responsible for the enforcement of any provision of the PDMC or any other applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.

LL. Provide the responsible person with the host or operator's twenty-four-hour availability information.

MM. Provide the responsible person a copy of the maximum number of overnight guests and the maximum number of daytime guests as permitted pursuant to the chapter.

NN. Post a copy of the short-term rental permit and a copy of the Good Neighbor Brochure in a conspicuous place within the short-term rental unit.

OO. Provide the responsible person a copy of trash pickup day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property.

PP. Provide the responsible person a copy of the PDMC, Chapter 9.24, Noise Control, and Chapter 9.25, Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events.

QQ. Explain to the responsible person that the guests and owner may be cited or fined by the city in accordance with this chapter and/or Chapter 9.24, Noise Control, and Chapter 9.25, Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events.

RR. Provide written notice that no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from beyond the property boundaries of any short-term rental unit between the hours of ten p.m. and ten a.m.

5.10.110 Recordkeeping duties.

The host or operator shall maintain for a period of three years, records in such form as the tax administrator (as defined in, and required by, Chapter 3.28) may require to determine the amount of TOTs or TBID assessments owed to the city. The city manager shall have the right to inspect such records at all reasonable times. Such records shall be maintained at the host's or operator's premises or shall be available for delivery to the tax administrator within one week after request, which may be subject to the subpoena pursuant to Section 3.28.110.

5.10.120 Violations.

SS. Additional Conditions. A violation of any provision of this chapter by any of the guests, owner(s) or the operator shall authorize the city manager to impose additional conditions on the use of any given short-term rental unit to ensure that any potential additional violations are avoided.

TT. Permit Modification, Suspension and Revocation. A violation of any provision of this chapter by any of the guests, owner(s) or the operator shall constitute grounds for modification, suspension and/or revocation of the short-term rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in this chapter.

1. Whenever any host or operator fails to comply with any provision of this chapter, the city manager upon hearing, after giving the host or operator and/or owner ten days' notice in writing specifying the time and place of hearing and requiring him or her to show cause why the short-term rental permit should not be revoked, may modify, suspend or revoke the permit held by the host or operator.

2. The city manager shall give the host or operator written notice of the modification, suspension or revocation of the permit. The notices required in this section may be served personally or by mail.

3. The city manager shall not issue a new short-term rental permit after the revocation of a permit unless he or she is satisfied that the former holder of the permit will comply with the provisions of this chapter and the short term rental_unit complies with Section 5.10.070. During the period of time while such a permit is suspended, revoked or otherwise not validly in effect, the use of the dwelling as a short-term rental unit is prohibited.

UU. Notice of Violation. The city may issue a notice of violation to any guest, host, or operator, pursuant to this chapter, if there is any violation of this chapter committed, caused or maintained by any of the above parties.

VV. Administrative Citation. The city may issue an administrative citation to the property owner(s) pursuant to Chapter 8.81 (Administrative Citations) of the municipal code if there is any violation of this chapter committed, caused or maintained. Nothing in this section shall preclude the city from also issuing an infraction citation upon the occurrence of the same offense on the same day to any guests, host(s) or the operator. Unless otherwise provided herein, any person issued an administrative citation pursuant to this chapter shall for each separate violation be subject to: (1) an administrative fine in an amount not to exceed one thousand dollars for the first citation; (2) an administrative fine in an amount not to exceed three thousand dollars for a second citation issued for the same offense within a twelve-month period of the date of the first offense; and (3) a fine in an amount not to exceed five thousand dollars and an immediate revocation of the short-term rental permit for a period of two years for the third citation within a twelve-month period of the date of the first offense.

WW. Notwithstanding the above, operating a short-term rental unit without a validly issued short-term rental permit shall be subject to a fine in an amount of five thousand dollars for the first citation and each additional citation, and the city has the right to refuse the issuance of any new or renewed short-term rental permit for the cited property and/or to the cited host or operator anywhere else within the city.

XX. Infraction. The city may issue an infraction citation to any guest, host or operator, pursuant to the provisions set forth in Chapter 1.08, Citations for Code Violations, including, but not limited to, the imposition of any and all criminal penalties set forth therein if there is any violation of this chapter committed, caused or maintained by any of the above parties. Unless otherwise provided herein, any person convicted of an infraction shall, for each separate violation of this chapter be subject to: (1) a fine in an amount not to exceed one thousand dollars for a first conviction of an offense; (2) a fine in an amount not to exceed three thousand dollars for a second conviction of the same offense within a twelve-month period of the date of the first offense; and (3) a fine in an amount not to exceed five thousand dollars for the third conviction of the same offense within a twelve-month period of the date of the first offense.

YY. Public Nuisance. It shall be a public nuisance for any person to commit, cause or maintain a violation of this chapter, which shall be subject to the provisions of Chapter 9.24, Noise Control, and Chapter 9.25, Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events.