

HAND OUTS

**CITY COUNCIL
MEETING**

DECEMBER 15, 2020

Combined Recommendations for La Quinta *City Council*





Our Perspective on STVRs

Let's create a strong, well run STVR program to strengthen the community and drive sustainable, long term economic benefits for La Quinta

Strengthens STVR Program

Topic	Comments
Cite guests directly	<ul style="list-style-type: none"> • Cite guests directly for noise, overcrowding, too many cars, amplified music (similar to Palm Springs)
Shorten required response: 45 to 30 mins	<ul style="list-style-type: none"> • Keep first violation at \$1000 • Use technology to automate notification & resolution
Remove unpermitted STVRs	<ul style="list-style-type: none"> • Agree with strict penalties
Alert guests of rules via multiple avenues	<ul style="list-style-type: none"> • Create portal for primary guests to confirm reviewed "Good Neighbor" rules & provide credit card for if fined; ensure rules are posted in properties as well
Monitor for noise / parties	<ul style="list-style-type: none"> • Require noise meters to automate monitoring & mitigate before neighbor calls
Enforce standard quiet hours	<ul style="list-style-type: none"> • Apply same rules for all homes (whether STVR or not)
Educate owners	<ul style="list-style-type: none"> • Suggest eLearning tool to manage ongoing training compliance & keep down costs
Enable compliance staff	<ul style="list-style-type: none"> • Investigate technology to notify owners & guests of issues at same time (e.g. noise), apply fines, track training
Notify guests of trash policy	<ul style="list-style-type: none"> • But do not count trash towards 2 or 3 strike policy

Caution / Hurts STVR Program

Topic	Comments
Do NOT implement proposed density restrictions	<ul style="list-style-type: none"> • Oppose due to unintended consequences: <ul style="list-style-type: none"> ◦ Distorts home values on multiple blocks ◦ Incentivizes neighbors to get a STVR to block a fellow neighbor ◦ Caps STVRs TOT • Advantageous to have some STVRs next to each other
Return to 3 strikes from 2 strikes	<ul style="list-style-type: none"> • Palm Springs is successful with 3 strikes • See results of education and other efforts before moving to 2 strikes • Fine violating guests vs. impacting future guests (e.g., travel may be cancelled last minute due to previous bad guest)
Keep current to overnight occupancy limits	<ul style="list-style-type: none"> • Keep current overnight regulation; no evidence that a difference in a count of 2 people results in problems • Support decrease in day guests and penalize guests w/ bad actors (e.g., large gatherings) • Clarify whether infants / children included in count
Violation notification to neighbors	<ul style="list-style-type: none"> • Can unintentionally put neighbors against neighbors • Adds compliance costs for little return when public websites already provides info • Stricter than murder or rape disclosure notifications

CITY COUNCIL MEETING - DECEMBER 15, 2020 - HAND-OUT BY VRON-LQ
 STUDY SESSION ITEM NO. 1 - STVR PROGRAM AD-HOC COMMITTEE RECOMMENDATIONS

Part 1 - Issues before an enforcement event
Issue 1: Communicating with the City / Verifying a complaint

1	weluvlaquinta.com & VRON-LQ Cheatsheet	Committee Recommendation	Resource/Cost (Staff Analysis)	Implementation/Direction (Staff Analysis)
1.a	RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes the city needs to fund this program in order to have strong compliance with all participants in the program. More transparency with technology. SUGGESTED CHANGES: The compliance team should grow as the number of STVR's grow. There could be a formula such as for each 250 licenses there needs to be a compliance officer.	Staff the hotline with live, (local, trained) personnel who are familiar with La Quinta geography and empowered and equipped to initiate complaint resolution immediately.	This would require hiring 3 -4 City employees in order to provide a 24/7 hotline function. A cost of \$250,000 annually.	Evaluate other hotline providers who can provide text notification, regular follow up to reporting party, and require La Quinta specific training.
1.b	We recommend referring to Palm Springs (Palm Springs is an additional officer for each about 400 STVRs) on how they staff their teams. We also recommend looking at technology to automated the process, improve communication and accelerate the resolution of big events (i.e. party house).	Increase field enforcement staffing by at least two additional full time STVR trained officers available for immediate dispatch during times of need.	This would require hiring 2 Code Compliance officers. A cost of \$200,000 annually.	Additional Code Compliance staff would greatly assist enforcement efforts. Staff recognizes the cost and has a pilot program underway of utilizing contract security services.
1.c		Hotline and enforcement staff should be dynamically managed: more staff when the hotline is heavily used (evenings and weekends) and less staffing at times when complaints tend to be low (weekday mornings)	This would trigger the need to increase staffing capacity and alternate schedules, which will impact other services.	Calling centers have robust call capabilities and allows for easy adjustment to staffing levels.
1.d	RECOMMENDATION: Mixed WHAT IS THIS SOLVING: Home Inspections can educate new STVR's at the time of inspection. After the inspection, bad actors will change their setup. We do not see this rule as having a major impact on resolving the issues we see in the STVR program at the moment. This recommendation will cause the need for more inspectors and timely inspections. SUGGESTED CHANGES: The city already has the details on each property and the permitted number of rooms. Based on occupancy limits, STVR owners need to obey those limits and follow the regulations. (Additional Cost to City/Not STVR Issue/delay new STVRs)	Require a code inspection on a property prior to granting an STVR license. This inspection should be for the purposes of verifying accuracy with respect to the application, particularly in the areas of occupancy limits (number of bedrooms) and living arrangements (room conversions, etc.).	Additional staff time.	A third-party contractor/firm can be retained to provide on-site inspection and permit application can include photos to verify and a video inspection prior to issuance. City already inspects for discrepancies on number of bedrooms.

Issue 2: STVR Homeowner not registering with the City

2		Committee Recommendation	Cost/Resources	Implementation/Direction
2.a	RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes this makes sense. We need to have valid STVR's post their license to make sure they are in compliance. This allows compliance officers to identify those who are not following the program. SUGGESTED CHANGES: It would make sense if the license number somehow coordinated with the expiration date of the license.	Require that a City of La Quinta STVR permit number be included in all property advertisements on all platforms (VRBO, print, web, etc.).	Nominal cost/resource impact.	Monitor compliance and increase enforcement effort through Lodging Revs and cite accordingly.
2.b	RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes this makes sense. More communication is great. SUGGESTED CHANGES: None	Publicize the registration requirements regularly on the web site and through social media outlets.	Nominal cost/resource impact.	City staff will increase existing effort to provide additional outreach through print, digital, and regular notification to residents.

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2.c	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: There is no rule or guideline that an HOA patrol is following the same guidelines as a city compliance officer. When you mix HOA and city rules, the process can be very confusing and complicated. HOA's already have rules to keep this information personal between the resident and the HOA. HOA's need to resolve their own problems and set their own rules. SUGGESTED CHANGES: HOA should educate their residents on what to do when an issue or violation is occurring like any other resident not in a HOA. The process and rules should be the same. We need to be careful to not pit residents against STVR's. This does not build a stronger community. (Warning should be given)</p>	Where possible, partner with HOA communities and Management Companies to exchange information on STVR rental activities.	Nominal cost/resource impact.	City will increase effort in this area. Evaluating a model agreement with HOAs to share enforcement information.
2.d	<p>RECOMMENDATION: Mixed WHAT IS THIS SOLVING: More communicate is better, but we are not sure if these mailed inserts are effective or just causing more trash and expense. SUGGESTED CHANGES: There is a great opportunity to create a website that would allow any resident in La Quinta to pull up a website where they can type in their address. By doing so, it would provide them information about the properties around them including STVR's and other information. Since information is always changing, this seems to be a single accurate source of information. (VRON-LQ supports an annual mailer to all new homeowners with recent purchases, to their primary mailing address)</p>	Include mail inserts to all the primary addresses of all owners in any surface mailings sent out to residents.	Citywide mailers cost approximately \$7500.	Annual mailer was issued September 26, 2020. The City utilizes the Gem on a regular basis and social media every two weeks. City decreasing amount of direct mail. City can increase direct mailers. Notifications will also be sent to property owners who live outside of La Quinta.
2.e	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes we need to remove the owners who do not comply with the STVR program. SUGGESTED CHANGES: We believe it would be fair to allow for a hearing if the violation was done by mistake and is not a repeat offender.</p>	Assess significant monetary penalties for non-compliance. These penalties must be paid before an STVR license can be obtained.	Nominal cost/resource impact.	The Ad Hoc Committee has recommended increased fines, which are for Council discussion.

Issue 3: STVR Owner not aware of the rules

3		Recommendation	Cost/Resources	Implementation/Direction
3.a	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Providing education to anyone responsible for a STVR is important and critical. We need a baseline of Host Training that can be done through online training. SUGGESTED CHANGES: Online training would be helpful for those both local, non local or due to situations such as the Covid Pandemic.</p>	Applicants, any individuals listed as contacts for the property, and any designated Management Company representatives who directly manage a property must attend a compulsory workshop prior to the issuance of permits. Applicants must sign a document asserting they have attended the workshop, understand the rules and agree to be bound by them.	Staff will need to acquire software licenses for this activity at a cost of \$5,000 annually and will factor the cost of conducting workshops into the permit fee	Staff will create a new training program that is educational and encourages compliance. Will require certificate of completion and attestation of adhering to the rules. Workshop requirement prior to issuance of permit could lengthen the time to issue a permit.
3.b	<p>RECOMMENDATION: Mixed WHAT IS THIS SOLVING: Yes, education is a positive, but this seems hard to manage, difficult to identify the people and in the end is holding up an owner from managing their property. The way this is written, it will cause more issues for the city than benefit. SUGGESTED CHANGES: This entire recommendation needs to be rewritten so that it clearly resolves the issue at hand. In the current state, this just causes more issues for the city and STVR owners.</p>	STVR Owners, any individuals listed as contacts for the property, and any designated Management Company representatives who are directly responsible for managing a property that has been assessed a violation must retake the compulsory workshop at their own expense before a license for that property can be renewed.	Nominal cost/resource if software is procured. Cost of conducting workshop will be absorbed in the permit renewal fee for those that were assessed a violation (s).	Staff will create a new training program that is educational and encourages compliance. Will require certificate of completion and attestation of adhering to the rules. Staff will follow up and verify that this takes place before permit activity can resume.

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3.c	RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Educating others can only help. SUGGESTED CHANGES: It's important to also educate residents that false calls to the city can create a big expense and more overhead for everyone involved. False calls should also be tracked and penalties assessed.	This training workshop should also be open to the public so that interested parties (neighbors, potential new STVR licensees) can familiarize themselves with the requirements and responsibilities of STVR ownership.	Nominal cost/resource.	The training can be open to the public.
3.d	RECOMMENDATION: Mixed *Needs for clarification/should require warning WHAT IS THIS SOLVING: We are trying to change behavior not severely penalize members of the STVR program. Instead of correcting issues, we are putting fear in every STVR owner that any hiccup will cause a strike and severe penalty. This seems too extreme. SUGGESTED CHANGES: Exceeding capacity limits should be a violation, but an error in a listing should not be treated the same manor. Due the limited number of strikes, it's unfair to issue a strike because I am showing 9 possible guests in a home where 8 is the limit. These types of errors should come with warnings. After 2 or more warnings, then issue a citation and a strike. (VRO-LQ agrees with the Ad-Hoc recommendations, but with one warning)	False advertising (i.e. number of bedrooms, sleeping capacity, occupancy limits) will result in a citation, and count as a strike against the property.	Nominal cost/resource impact.	Staff will increase effort and attention to this through Lodging Revs and update Municipal Code revision to make it clearer. The City is already pursuing a Citywide enforcement of this item.

Issue 4: Renters not aware of the rules

4		Recommendation	Cost/Resource	Implementation/Direction
4.a	RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: STVR owners should be communicating and passing this information out to their guests. It's important that each guest understand the rules of the city. SUGGESTED CHANGES: Since the rules can change quickly, it would be helpful to have a web page that provides STVR owners with a single page of the current rules.	The City require the property owner/manager assert (unclear what assert means) that a renter has been provided with all current City ordinances governing expected behavior in advance of allowing that renter to occupy the property.	Nominal cost/resource impact.	City will enforce this provision and require the owner to attest to it as a part of the STVR permit application process.
4.b		A condensed copy of the relevant ordinance(s) must be permanently fixed to a prominent location inside the property. This document will be generated by the City and outline the relevant rules in plain language.	Nominal cost/resource impact if incorporated into the inspection and application process.	City will review and refine the "Good Neighbor" brochure to outline the relevant rules in plain language. City will require verification of permanently fixed as a part of inspection.
4.c		Update and strengthen the "Good Neighbor" brochure to include specific language relating to noise and personal behavior requirements. Require a copy be included as part of every rental agreement.	Nominal cost/resource impact.	Staff will update the brochure to include clear education and compliance information. Require owners to include noise and neighborly conduct (example: not exceeding occupancy or not being disruptive to the community) requirements in the STVR posting.
4.d		Changes to City ordinances, including adoption of temporary orders must be posted in a prominent location inside the property within 48 hours of adoption, and before the property can be rented again. Not clear, not specific enough.	Nominal cost/resource impact.	City will include this requirement as a part of the permit application.

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Issue 5: Neighbors not aware of the rules

5		Recommendation	Cost/Resource	Implementation
5.a	<p>RECOMMENDATION: Mixed WHAT IS THIS SOLVING: It's not clear how this helps STVR or Residents. If anything we are creating less of a community and pitting STVR's against Residents. The real issue are STVR's that are not managed appropriately. Based on other violations, this should eliminate the bad players. SUGGESTED CHANGES: If an STVR is run responsibly, there should be no problems for any residents. Residents should be able to go to a website and find who has a city license and who does not. This is all public knowledge.</p>	<p>ALL neighbors adjacent to (on all sides) and across the street from an STVR property be notified by the city and supplied with the same documents the Owner is required to furnish to the renter (with the exception of the rental agreement/contract). (This could be a requirement placed on the STVR owner if the City feels it is appropriate – as long as the neighbor gets the information). These documents must include: A copy of the City STVR Ordinance</p>	<p>Nominal cost/resource impact if incorporated into Citywide mailer and outreach program.</p>	<p>City will incorporate all information and provide to all La Quinta households via a Citywide mailer, which will include a website link to all relevant STVR requirements. The City will ensure that all these materials are received by neighbors of STVR permit holders on an annual basis.</p>
5.b		<p>These documents should be refreshed annually as part of the license renewal process.</p>	<p>Nominal cost/resource impact.</p>	<p>Staff will refresh the documents on a regular basis.</p>
5.c	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: Makes no sense what this is solving for. Shouldn't all city documentation be self explanatory and easy to understand? SUGGESTED CHANGES:</p>	<p>A document should be provided to the neighbor explaining the meaning of any technical terms. Where possible real-life examples should be used to illustrate the terms used. This document should be provided to renters as well.</p>	<p>Nominal cost/resource impact if incorporated into a revamped "Good Neighbor" brochure.</p>	<p>Staff will be included in the revised "Good Neighbor" brochure.</p>

Part 2 – The Enforcement Event

Issue 6: No contact with Owner/Representative

6		Recommendation	Cost/Resource	Implementation
6.a	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: Shortening the time from 45 minutes to 30 minutes is not solving anything. Those STVR's who are not responding will not be respond faster due to this change. This is putting more strain on all STVR owners. Reducing the time to respond by 15 minutes isn't going to solve any issues for neighbors or renters, and goes against the spirit of finding solutions that will actually help the overall situation. What will solve this is ensuring that the city has a fallback number, or alternatively use funds from fees etc to work with an answering service that can take on the role of contacting the appropriate person for each property whether it's an independent owner/operator or a PM, based on time of day etc. SUGGESTED CHANGES: It's hard for a single owner to be available 24 hours a day. It would help to have a 2nd and 3rd contact that in a time of an emergency, STVR owners can have others to respond if needed within a timely fashion. Can we work on technology where a text message will be sent to 1 or more contacts so that STVR owners can resolve the issue. Compliance must have caller ID come up on our phone, must send text message and have send number back-up.</p>	<p>Implement an escalation process whereby if the first call to the designated contact goes unanswered within a <u>30-minute window</u>, a call is made to RSO and a mandatory citation is issued. In the first reading of the ordinance amendment on 12/1/2020, La Quinta city council voted to approve the 30 minute response time. VRON-LQ recommendation: The city uses one outbound published phone number which can be easily stored in the local contact's phone book.</p>	<p>Nominal.</p>	<p>Existing process is set for 45- minutes. Council discussion and ordinance amendment required if changed to 30 minutes.</p>

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6.b	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: More compliance is a good thing, but we need to make sure that it is being used efficiently. Again, we refer to false calls that will take up city resources. SUGGESTED CHANGES: There are opportunities to use technology for both STVR and Residents to help facilitate issues in the city even beyond vacation rentals. (VRON-LQ would like a dedicated STVR enforcement team for the hours where most of the citations are being issued).</p>	As described above, increase the number of trained and dedicated enforcement personnel to levels that can actively address the situation with or without the homeowner / property manager.	Cost information noted in Part I.	Additional Code Compliance staff would greatly assist enforcement efforts. Staff recognizes the cost and has a pilot program underway of utilizing contract security services.
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Issue 7: Noise/Behavior/Party Events

7		Recommendations	Cost/Resource	Implementation
7.a	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes in order for a rule or regulation to be enforced, it needs to be clear and well defined. SUGGESTED CHANGES: The city should follow 9.100.210 (part of the standard noise ordinance that applies to city of La Quinta). The city should follow 9.100.210 for the noise measurement time intervals. Noise meters must be calibrated monthly.</p>	A document should be prepared and provided to all parties clarifying definitively the meaning of any technical measurements and how these measurements should be interpreted. (See also above). The city should follow 9.100.210 (part of the standard noise ordinance that applies to city of La Quinta).	Nominal cost/resource impact if incorporated into revised and recommended education materials.	Yes, will be provided to all responsible parties.
7.b		Enforcement personnel should be provided with and trained to use relevant noise level meters and other tools that enhance objective measurement of noise. They should also be trained to explain the results of these measurements to neighbors and renters in the event of a complaint. The city should follow 9.100.210 for the noise measurement time intervals. Noise meters must be calibrated monthly.	Cost unknown at this time.	Code Compliance already undergoes rigorous training for this recommendation. Should new methods be developed with technology then staff will take the appropriate training.
7.c		Where possible, real-life examples should be used to illustrate the terms used. This document should be provided to renters as well.	Nominal cost/resource impact.	This will be incorporated into revamped education materials.
7.d		The City should implement tutorial workshops that clarify what the noise and behavior rules are. These workshops should open to all community members and conducted on a regular basis (perhaps once every calendar quarter).	Nominal cost/resource impact if implemented as already recommended.	Incorporate this into the new workshop and training program.
7.e	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: It's not clear why only properties with STVR License cause noise that negatively impacts everyone else. Why is a STVR property treated differently than the rules of a normal resident. If a resident is playing music out of control, does that not cause issues for all other neighbors? We need to be fair and reasonable for all. How would residents react if this was being implemented for them? SUGGESTED CHANGES: If there are quiet hours for all residents in LA Quinta, that would be fair. Singling out certain properties will cause issues and divide the community instead of building it closer. It complicates having two different sets of hours. We should stick to 10pm to 7am for quiet hours and no amplified noise. (VRON-LQ supports quiet hours between the hours of 10:00 pm and 7am. VRON-LQ recommends no amplified noise shall be permitted between the hours of 10pm to 7am.)</p>	Quiet hours shall be between the hours of 10:00 pm and 8am. No amplified noise shall be permitted between the hours of 8pm to 8am.		Council discussion and if changed, requires ordinance amendment.

Issue 8: Occupancy Limit Violations

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8		Recommendations	Cost/Resource	Implementation
8.a	<p>*RECOMMENDATION: Mixed WHAT IS THIS SOLVING: Yes it should be allowed for enforcement to verify the number of people at the property. What's not clear is what is being counted. We can count adults, but what about children and infants?</p>	<p>Empower and require enforcement personnel to ask and verify (subject to requesting the rental agreement signer come to the front door) legal applicability) the number of occupants at time of a</p>	<p>Nominal cost/resource impact.</p>	<p>Code Compliance and Riverside County Sheriff Department already conduct this activity if there's a disruptive property.</p>
8.b	<p>SUGGESTED CHANGES: Recommendations like this need to be clear and well defined. This needs to be rewritten so that they is no ambiguity.</p>	<p>Notify the STVR owner or property manager immediately if a citation will be issued. This will enable recovery of any fines from the occupants before security deposits are refunded, or enable the owner to evoke the eviction clause in their contract.</p>	<p>Will cost time delays in the investigatory and compliance process</p>	<p>Staff provides timely notification to the property owner, but due to the code compliance investigatory process staff does not recommend implementation.</p>
8.c	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: When we try and correlate number of cars to an issue, we start to get into a dangerous area. It's hard to know which cars are for which property. This is vague and does not solve anything. SUGGESTED CHANGES: This recommendation should not be considered due to being vague in its wording. Save valuable city resources towards noise issues.</p>	<p>Limit overnight parking for STVR properties (see also below). (This is the way some HOA communities manage occupancy issues). Recommend encouraging home owners to tell renters to use all available on-site parking, prior to parking on the street.</p>		<p>Council discussion required. If limits are established, ordinance amendment required.</p>

Issue 9: Parking

9		Recommendations	Cost/Resource	Implementation
9.a	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: When we try to correlate number of cars to an issue, we start to get into a dangerous area. It's hard to know which cars are for which property. This is vague and does not solve anything.</p>	<p>Require the Owner/Contact person/Property Manager obtain a list of vehicle license plate numbers for renters occupying the property. This list must be available to the compliance officer upon demand.</p>	<p>Nominal cost/resource impact.</p>	<p>Can include in the application and incorporated into municipal code.</p>
9.b	<p>SUGGESTED CHANGES: This recommendation should not be considered due to being vague in its wording. VRON-LQ adds that it is impossible to obtain license plate numbers (especially for rental cars) for the guests who arrive after check-in.</p>	<p>Limit the number of vehicles that may be parked on the street to a maximum of three vehicles during times the property is rented. Reference 8.c.</p>		<p>Council discussion required and if changed, ordinance amendment required and consistency with General Plan and applicable codes needed.</p>

Issue 10: Trash

10		Recommendations	Cost/Resource	Implementation
10.a	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Owners should know what day trash pickup is. It would be helpful to education about concierge collection services. SUGGESTED CHANGES: None</p>	<p>Current regulations are adequate for dealing with this issue, however during the process of getting a license, the STVR applicant should be specifically made aware of the current trash collection policy, including the availability of larger capacity bins and concierge collection services, as well as the fines associated with non-compliance.</p>	<p>Nominal cost/resource impact.</p>	<p>Staff will incorporate into the STVR permit application process and enforce.</p>
10.b	<p>RECOMMENDATION: Mixed WHAT IS THIS SOLVING: What is solved by informing a renter in writing that trash pickup is on a given day. This seems like unneeded overhead for a STVR owner. The responsibility of trash is the owners. What benefit does this create by having this in writing. SUGGESTED CHANGES: This should not count toward a strike against owner. Add this info in on boarding of new owners. Remove as part of rental agreement, instead add that it is shared in some capacity.</p>	<p>The STVR owner must inform the renter in writing of the property specific trash policy as part of the rental agreement or the property information sheet, and no strikes should be issued.</p>	<p>Nominal cost/resource impact.</p>	<p>Staff will incorporate this into the STVR permit application process and enforce.</p>

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Part 3 - After the Enforcement Event
Issue 11: Repeat offenders/3 strikes

11	Recommendations	Cost/Resource	Implementation
<p>11.a RECOMMENDATION: Disagree WHAT IS THIS SOLVING: Reducing from 3 strikes to 2 strikes causes all STVR owners to be on edge. After one strike, we are in a complete panic even if we do everything in our power to prevent issues. Criminals get 3 strikes, but STVR's get only 2? Something is not right here. Escalating penalties will change behaviour, but lowering strikes creates a very negative environment for renters, STVR's and others. Let keep La Quinta as a place people want to come and not tarnish its current reputation. SUGGESTED CHANGES: We need to be clear on what is a strike. Parking and incorrect listings should not be considered a strike. Noise and other violations that disrupt the community should have a strike if the owner does not resolve the issues quickly. Reward good behavior for STVR owners such as La Quinta Superhost Badge to display on listings (down the road maybe City can host site for STVR owners with no issues for two years, or dropping off strike if they haven't had one in a year. (VRON-LQ doesn't want to see any changes to the existing 3 strike policy)</p>	<p>Reduce the current 3-strike rule to a 2-strike rule for noise and personal conduct violations.</p>		<p>Council discussion needed and if changed, requires ordinance amendment</p>
<p>11.b RECOMMENDATION: Disagree WHAT IS THIS SOLVING: It's fine to notify all parties involved except other neighbors. Do neighbors get to know when a person gets a speeding ticket? Why should this be any different. SUGGESTED CHANGES: Continue to allow any concerned</p>	<p>In the event an STVR permit is suspended for any cause, the City shall notify the Owner, and any contact person or Property Management firm associated with the property. In addition, a notification of suspension shall be sent to all neighbors adjacent to (on all sides) and across the street from of the suspended property.</p>	<p>Nominal cost/resource impact if posted online.</p>	<p>Will provide suspended property information into a City website for neighbors to view. Neighbors and reporting parties will be notified of this activity.</p>
<p>11.c RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes the city needs to fund this program in order to have strong compliance with all participants in the program.</p>	<p>Staff the hotline with a live, (local) person who is familiar with La Quinta geography and empowered and equipped to initiate complaint resolution immediately. (See previously).</p>		<p>Already addressed in Part I.</p>
<p>11.d SUGGESTED CHANGES: The compliance team should grow as the number of STVR's grow. There could be a formula such as for each 250 licenses there needs to be a compliance officer. We</p>	<p>Increase field enforcement staffing by at least two full time STVR trained officers available for immediate dispatch during times of need. (See previously).</p>		<p>Already addressed in Part I.</p>

Part II - Recommendations on Violations
Issue: Communicating with the City / Verifying a complaint

	Committee Recommendation	Municipal Code 3.25.090 Violations.	COVID-19 Emergency Response Efforts
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CITY COUNCIL MEETING - DECEMBER 15, 2020 - HAND-OUT BY VRON-LQ
 STUDY SESSION ITEM NO. 1 - STVR PROGRAM AD-HOC COMMITTEE RECOMMENDATIONS

<p>1.</p>	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: Reducing from 3 strikes to 2 strikes causes all STVR owners to be on edge. After one strike, we are in a complete panic even if we do everything in our power to prevent issues. Criminals get 3 strikes, but STVR's get only 2? Something is not right here. Escalating penalties will change behaviour, but lowering strikes creates a very negative environment for renters, STVR's and others. Let keep La Quinta as a place people want to come and not tarnish its current reputation. Wording is unclear, how do they determine if penalty will be 30 days vs longer amount. SUGGESTED CHANGES: We need to be clear on what is a strike. Parking and incorrect listings should not be considered a strike. Noise and other violations that disrupt the community should have a strike if the owner does not resolve the issues quickly. Palm Springs uses 3 strike rule and they are successful. Why would we be stricter? (VRON-LQ recommends that violations for noise, overcrowding, and parking should be issued to the GUESTS, not the property owners. How is this different than collecting a parking ticket? City should contract with a third-party collections vendor to manage fine collections. Palm Springs and other cities have successfully accomplished this.)</p>	<p>General STVR Violations (Noise/ Parking) a. First Violation: \$1,000 b. Second Violation: \$2,000 + Suspension of STVR permit for a period of not less than 30 days and not more than 1 year</p>	<p>General STVR Violations (Occupancy/Noise/Parking). a. First violation: \$500; b. Second violation: \$1,000; c. Third violation: \$1,500. Plus, all properties are subject to the Three Strikes Policy: Three (3) violations of any provision of Municipal Code 3 or 3.25 within one year will result in an immediate suspension of the short-term vacation rental permit with subsequent ability to have a hearing before the city, to request a lifting of the suspension.</p>	<p>Revisit short-term protection enforcement by fine adjustments. a. First violation: \$1,000; b. Second violation: \$2,000; c. Third violation: \$3,000. Plus, STVR properties are subject to the Two Trike Policy: Two (2) violations of any provision of Chapter 3.25 or the LQMC within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling will result in an immediate, minimum 30-day suspension of the short term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.</p>
<p>2.</p>	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes these penalties should change behavior for those renting without a license. SUGGESTED CHANGES: If we are going to offer harsh penalties for renting without a license, we need to make the process to get a license easier as well. City should create Realtor STVR Selling/buying education so that new buyers are aware of City STVR Requirements.</p>	<p>Operating a STVR without a valid short- term vacation rental permit a. First Violation: \$4,000 + Suspension on applying for a STVR permit for a period of not less than 30 days (with every additional day being b. Second Violation: \$6,000 + Suspension on applying for a STVR permit for a period of not less than 1 year (with every additional day being an offense)</p>	<p>Operating a STVR Without a Valid Short-Term Vacation Rental Permit. a. First violation: \$1,000; b. Second violation: \$1,500; c. Third violation: \$2,000. Plus, all properties are subject to the Three Strikes Policy: Three (3) violations of any provision of Municipal Code 3 or 3.25 within one year will result in an immediate suspension of the short-term vacation rental permit with subsequent ability to have a hearing before the city, to request a lifting of the suspension.</p>	<p>Operating a STVR Without a Valid Short-Term Vacation Rental Permit. a. First violation: \$2,000; b. Second violation: \$3,000; c. Third violation: \$4,000. Plus, STVR properties are subject to the Two Trike Policy: Two (2) violations of any provision of Chapter 3.25 or the LQMC within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling will result in an immediate, minimum 30-day suspension of the short term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.</p>

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3.	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: Shortening the time from 45 minutes to 30 minutes is not solving anything. Those STVR's who are not responding will be respond faster due to this change. This is putting more strain on all STVR owners. Those responsible owners will response in 5 minutes if they can. SUGGESTED CHANGES: It's hard a single owner to be available 24 hours a day. It would help to have a 2nd and 3rd contact that in a time of an emergency, STVR owners can have others to respond if needed within a timely fashion. 1st violation should be less, increase over time if issues don't correct. Leave 1st violation at \$1,000. (VRON-LQ agrees with the 30 minute response time. We disagree with any increased fines, and are asking to keep the existing fine structure in place, and the existing 3 strike policy to remain.)</p>	<p>Failure to respond within the defined time frame in person or by phone – a. First Violation: \$2,000 b. Second Violation: \$2,000 + Suspension of STVR permit for a period of not less than 30 days</p>	<p>Failure to respond within the defined time frame in person or by phone – a. First violation: \$500; b. Second violation: \$1,000; c. Third violation: \$1,500. Plus, all properties are subject to the Three Strikes Policy: Three (3) violations of any provision of Municipal Code 3 or 3.25 within one year will result in an immediate suspension of the short-term vacation rental permit with subsequent</p>	<p>Failure to respond within the defined time frame in person or by phone – a. First violation: \$1,000; b. Second violation: \$2,000; c. Third violation: \$3,000. Failure to respond results in an immediate 90-Day Suspension for Non-Responsiveness: Failure of the owner, the owner's authorized agent or representative and/or the owner's designated local contact person (as those terms are defined)</p>
			<p>ability to have a hearing before the city, to request a lifting of the suspension.</p>	<p>in LQMC Section 3.25.030) to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short- term vacation rental unit within forty-five minutes, as required by LQMC Section 3.25.070, Subsection (G), shall be subject to an immediate 90-day suspension of the short-term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.</p>
4.	<p>RECOMMENDATION: In Agreement WHAT IS THIS SOLVING: Yes these penalties should change behavior for those renting without a license. SUGGESTED CHANGES: If we are going to offer harsh penalties for renting without a license, we need to make the process to get a license easier as well. Wording is unclear. Overall not clear. Please reference operating vacation rental without a permit</p>	<p>Exceeding Occupancy Limits without a permit – a. First Violation: \$2,500 b. Second Violation: \$5,000 + Suspension of STVR permit for a period of not less than 30 days</p>	<p>Currently, this is treated as a general STVR violation. a. First violation: \$500; b. Second violation: \$1,000; c. Third violation: \$1,500. Plus, all properties are subject to the Three Strikes Policy: Three violations of any provision of Municipal Code 3 or 3.25 within one year will result in an immediate suspension of the short- term vacation rental permit with subsequent ability to have a hearing before the city, to request a lifting of the suspension.</p>	<p>Currently, this is treated as a general STVR violation. a. First violation: \$1,000; b. Second violation: \$2,000; c. Third violation: \$3,000. Plus, STVR properties are subject to a Two Trike Policy: Two (2) violations of any provision of Chapter 3.25 or the LQMC within one year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling will result in an immediate, minimum 30-day suspension of the short term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.</p>

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5.	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: It's fine to notify all parties involved except other neighbors. Do neighbors get to know when a person gets a speeding ticket? Why should be this any different. SUGGESTED CHANGES: None.</p>	<p>The City will notify all adjacent properties as indicated in the illustration below in the event an STVR permit is revoked for any reason or any length of time.</p>	<p>Presently, the city does not notify adjacent properties about the permit status of an adjacent property. Residents may call city staff and ask if a residential unit has an active STVR permit.</p>	<p>N/A</p> 
6.	<p>RECOMMENDATION: Disagree WHAT IS THIS SOLVING: It's not clear why only properties with STVR License cause noise that negatively impacts everyone else. Why is a STVR property treated differently then the rules of a normal resident. If a resident is planing music out of control, does that not cause issues for all other neighbors? We need to be fair and reasonable for all. How would residents react if this was being implemented for them? SUGGESTED CHANGES: If there are quite hours for all residents in LA Quinta, that would be fair. Singling out certain properties will cause issues and divide the community instead of building it closer.</p>	<p>Quiet hours shall be between the hours of 10:00 pm and 8 am. No amplified noise shall be permitted between the hours of 8 pm to 8 am.</p>	<p><u>3.25.070 Operational requirements and standard (D):</u> The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable or unlawful noise 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</p>	<p>Current Noise Limit. No person at a short-term vacation rental unit (whether inside or outside the unit) shall willfully make any unreasonably loud noise to the extent that it disturbs the peace and quiet of any neighborhood or imposes upon the privacy and rights of others nearby the short-term vacation rental unit. "Unreasonably loud noise" shall be determined by a city official visiting the short-term vacation rental unit and using the standards set forth in LQMC Section 11.08.040. The noise limits in this paragraph are in addition to any other noise requirements set forth in the LQMC, including LQMC Section</p>
7.		<p>Quiet hours shall be between the hours of 10 pm and 8 am. No amplified noise shall be permitted between the hours of 8 pm to 8 am.</p>	<p><u>3.25.070 Operational requirements and standard (E):</u> Occupants of the short-term vacation rental shall comply with the standards and regulations for allowable noise at the property in accordance with Section 9.100.210 (or successor provision, as may be amended from time to time) of this code. No radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke</p>	<p>Currently No Sound Amplification Allowed At Any Time. Notwithstanding provisions in LQMC Section 3.25.070, Subsection (E), to the contrary, 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 may be used outside or be audible from the outside of any short-term vacation rental unit at any time.</p>
			<p>from the outside of any short-term vacation rental unit between the hours of 10 pm and</p>	

Staff is evaluating the recommended fine amounts with the city attorney to be proposed to council at a future meeting.