

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ADOPTING AMENDMENTS TO TITLE 16 OF THE CLAREMONT MUNICIPAL CODE TO: (1) ADD A NEW CHAPTER 16.110 TITLED “SHORT-TERM RENTALS,” (2) AMEND VARIOUS PROVISIONS (INCLUDING SECTIONS 16.001.010, 16.004.020, 16.007.010, 16.013.010, AND 16.019.010) PERTAINING TO RENTAL ROOMS; AND (3) AMEND VARIOUS PROVISIONS (INCLUDING SECTION 16.33 AND CHAPTER 16.900 (DEFINITIONS)) PERTAINING TO SHORT-TERM RENTALS AND TERMS PERTAINING TO SHORT-TERM RENTALS

WHEREAS, in recent years, technology and innovation have expanded the use of short-term rentals (stays of less than 30 consecutive days) as a form of temporary lodging to allow visitors to stay in and experience a local community;

WHEREAS, regulating short-term rentals is necessary to mitigate the risk of converting residential units into predominantly transient accommodations, which could negatively affect the local housing stock;

WHEREAS, the City is committed to protecting the character, tranquility, and livability of its residential neighborhoods;

WHEREAS, the regulation of short-term rentals seeks to ensure that such uses do not adversely impact surrounding properties or create nuisances in residential areas;

WHEREAS, ensuring that short-term rentals meet fire, building, and health codes is essential to protect the safety and welfare of both visitors and the community;

WHEREAS, short-term rentals can contribute to the local economy by supporting tourism, generating transient occupancy tax revenue, and providing property owners with supplemental income;

WHEREAS, the City recognizes the importance of effective enforcement mechanisms to ensure compliance with short-term rental regulations and to address violations promptly;

WHEREAS, this ordinance aligns with state and local policies aimed at addressing housing needs, promoting sustainable land use, and preserving quality of life for residents;

WHEREAS, in April 2019, the Future Financial Opportunities Committee (FFOC) recommended the City Council consider regulating short-term rentals to provide transparency, accountability, and generate additional revenue;

WHEREAS, in January 2024, the City Council reaffirmed the priority to continue to evaluate and secure revenue enhancement opportunities, such as the potential regulation of short-term rentals and cannabis; and

WHEREAS, on November 19, 2024, the Planning Commission held a study session to discuss potential short-term rental regulations;

WHEREAS, the City's professional planning staff used input from the Planning Commission, the City Council, and members of the community to draft proposed code amendments to regulate short-term rental, and those code amendments are set forth in Section 3 of this Ordinance ("Code Amendments");

WHEREAS, on February 4, 2025, the Planning Commission held a duly-noticed public hearing to consider the proposed Code Amendments, and after reviewing the staff report, staff presentation, and public testimony (both written and verbal), the Planning Commission voted 5-1 (with Commissioner Wong voting "no," and Chair Emerson recused) to recommend the City Council approve the proposed Code Amendments with certain changes specified by the Planning Commission; and

WHEREAS, on April 22, 2025, the City Council held a duly-noticed public hearing to consider the proposed Code Amendments, and after reviewing the staff report, staff presentation, the Planning Commission's recommendation, and public testimony (both written and verbal), the City Council voted 4-1 (with Councilmember Leano voting "no") to approve a first reading and introduction of this Ordinance; and

WHEREAS, at the April 22, 2025 hearing, the City Council did not adopt the Code Amendments as recommended by the Planning Commission. After considering a broad range of options for the regulation of short-term rentals, the Planning Commission had recommended the City Council: (1) allow un-hosted short-term rentals (referred to in the Code Amendments as "vacation rentals"), subject to a cap of one percent (1%) of all residential units per City Council district; (2) allow hosted short-term rentals in accessory dwelling units (ADUs) (referred to in the Code Amendments as "limited vacation rentals"), subject to a limit on the number of guest stays to six bookings per year; and (3) allow hosted short term rentals inside homes (referred to in the Code Amendments as "homesharing rentals"). At the April 22, 2025 hearing, the City Council carefully considered all of the options the Planning Commission had considered and chose to: (1) prohibit vacation rentals; and (2) allow hosted homesharing rentals either inside a host's primary residence or in a detached structure (such as an ADU), subject to a cap of twenty (20) short-term rentals per City Council district; and

WHEREAS, on March 13, 2024, the City Council considered a second reading and adoption of this Ordinance.

THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council hereby finds that all the facts set forth in the recitals are true and correct and are incorporated as substantive findings of this ordinance.

SECTION 2. CEQA. It can be seen with certainty that the Code Amendment has no possibility of having a significant effect on the environment. Therefore, the adoption of this Ordinance is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

SECTION 3. Code Amendment. Based upon substantial evidence presented to the Planning Commission and City Council, including evidence presented to the Planning Commission at the public hearing on February 4, 2025, and evidence presented to the City Council at the public hearing on April 22, 2025, including written staff reports, staff presentations, written public comments, and verbal testimony, the City Council hereby adopts and approves the proposed Code Amendment as set forth:

Section 16.001.010(C)(1) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. *Rental Rooms* shall not contain kitchens. Rental rooms shall not be rented for less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals).

Section 16.004.020(C)(1) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. *Rental Rooms* shall not contain kitchens. Rental rooms shall not be rented for less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals). No more than two persons shall occupy one rental room. Rental rooms shall be located within a dwelling unit.

Section 16.007.010(D)(1) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. *Rental Rooms*

Rental rooms shall not contain kitchens. Rental rooms shall not be rented for less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals).

Section 16.013.010(B)(3) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

3. Boarding houses and rooming housess containing no more than four sleeping rooms for rent to no more than five persons. Meals may be provided to boarders in connection with the renting of rooms or common kitchen facilities may be provided.

Rental rooms shall not contain kitchens. Rental rooms shall not be rented for periods of less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals). No more than two persons shall occupy one rental room. One parking

space shall be provided for each rental room.

Section 16.019.010(C)(1) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. *Rental Rooms*

Rental rooms shall not contain kitchens. Rental rooms shall not be rented for less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals).

Section 16.333.060(B)(1)(d) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. The accessory dwelling unit shall not be sold separate from the primary residence nor shall it be used for short-term rentals of less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals).

Section 16.333.070(B) of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

1. Neither the accessory dwelling unit/junior accessory dwelling unit, nor the primary dwelling unit shall be rented for a period of less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals).

Chapter 16.900 of the Claremont Municipal Code is hereby amended as set forth below (additions underlined; deletions struck):

(Glossary of Definitions)

§ 16.900.150 *Boarding house*. Boarding and/or rooming house shall mean a structure containing a single-family dwelling unit and not more than five sleeping rooms for rent to no more than five persons. Meals may be provided in connection with such renting or the kitchen may be commonly used. Rooms shall not be rented for less than 30 days, unless as otherwise allowed under Chapter 16.110 (Short-Term Rentals). Boarding house shall not include health and care facilities, rest homes, or establishments designed or used for transient occupancy such as hotel, motel or bed and breakfast establishment.

§ 16.900.435 *Hotel/motel*. Hotel/motel shall mean either a hotel (including a long-term stay hotel) or a motel as defined herein. These definitions do not include private residences made available for short-term rentals as that term is defined in Chapter 16.110 (Short-Term Rentals), such as residences or rooms rented through Airbnb and Vacation Rental by Owner (VRBO).

§ 16.900.720 *Short-term rental*. Short-term rental shall have the same meaning as that term is defined in Chapter 16.110 (Short-Term Rentals).

§ 16.900.845 *Transient*. Transient shall mean a person who is receiving sleeping or overnight accommodations for a period of less than 30 consecutive calendar days ~~or less~~, at a location within the City, for a price, with or without meals.

Chapter 16.110, is hereby added to Title 16, of the Claremont Municipal Code as set forth below:

Chapter 16.110 Short-Term Rentals

16.110.010 Title.

This ordinance shall be known as the Short-Term Rentals Ordinance (“Ordinance”). This Ordinance shall be applicable in the City of Claremont, California, which shall be referred to herein as “City.”

16.110.020 Purpose.

- A. The purpose of this chapter is to regulate privately-owned residential dwellings within the City used as short-term rentals, ensure transient occupancy taxes (TOT) are paid and collected, and minimize the potential adverse effects of short-term rentals on surrounding residential neighborhoods.
- B. This chapter is not intended to allow any residential property owner or authorized agent to violate any private conditions, covenants, and restrictions applicable to the owner’s property that may prohibit the owner from using their property as a short-term rental, as defined by 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 Permits, notwithstanding any impacts to existing or future Short-Term Rental Permit holders. Anyone accepting a Short-Term Rental Permit pursuant to this chapter acknowledges and accepts that possibility.

16.110.030 Definitions.

As used in this chapter, the terms and phrases below shall have the meanings defined below.

Accessory Dwelling Unit shall have the same meaning as that term is defined in Chapter 16.333 (Accessory Dwelling Units).

Apartment shall have the same meaning as that term is defined in Section 16.900.110. As used in this chapter, the term “apartment” includes developments with three or more dwelling units under single ownership or management but excludes individually owned units within a condominium development.

Applicant shall mean the property owner.

Bedroom shall mean a private room within a short-term rental furnished with a bed and intended primarily for sleeping which is 70 square feet or greater in size. A bedroom must consist of four walls to the ceiling, at least one of which is located along an exterior wall with a window and must be separated from other rooms by a door. The bedroom must be accessible to a bathroom without crossing into or through another bedroom.

Business entity shall mean a corporation, partnership, or other legal entity that is not a natural person or a personal or family trust. In addition, the following shall not be considered a "business entity" under this chapter: any partnership, limited liability partnership, or limited liability company consisting solely of natural persons, the number of whom does not exceed four.

Change of property ownership shall mean the transfer of title from one person to another.

Contract shall mean an agreement or evidence of any tenancy that allows or provides for the short-term rental of property.

Daytime occupancy shall mean the hours between 8:00 a.m. and 10:00 p.m.

Daytime occupants shall mean the guest(s) who may occupy a vacation rental during daytime occupancy.

Enforcement official shall mean the Community Development Director or one or more of the Community Development Director's respective designees.

Good cause for the purposes of denial, suspension, revocation, imposition of conditions, renewal, and reinstatement of a Short-Term Rental Permit shall mean: (1) the applicant, owner, the owner's agent, or the local contact person has failed to comply with any of the terms, conditions, or provisions of this chapter or any relevant provision of this code, state law, or any rule or regulation promulgated thereunder; (2) the applicant, owner, owner's agent, or local contact person has failed to comply with any special conditions that were placed upon the Short-Term Rental Permit by the enforcement official; or (3) the short-term rental has been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the short-term rental is located.

Good neighbor brochure shall mean a document prepared by the enforcement official that summarizes general rules of conduct, consideration, and respect, including without limitation provisions of the Claremont Municipal Code applicable to or expected of guests to the city.

Homeshare interest shall mean a portion of an owner's home that is subject to homesharing as provided in this chapter.

Homesharing rental shall mean an activity whereby, for compensation, the owner hosts guests in the owner's primary residence, an eligible accessory dwelling unit, or a permitted habitable structure that is detached from the owner's primary residence (such as a guest house) for periods of less than 30 consecutive days while the owner lives on-site in the home or in the accessory dwelling unit throughout the guest's stay.

Hotline shall mean the telephonic service operated for the purpose of receiving complaints regarding the operation of any short-term rental and the forwarding of such complaints to the appropriate city enforcement official or, if applicable, the local contact person. For the purposes of this chapter, the term "hotline" also includes any contact in person or by telephone, email, and digital or electronic communication, or correspondence of any kind to and/or from any enforcement official.

Limited vacation rental shall mean a vacation rental that is un-hosted and rented for no more than six non-contiguous periods of less than 30 days per calendar year.

Local contact person shall mean the owner, a local property manager, or agent of the owner, who is available 24 hours per day, seven days per week for the purpose of responding in-person within 30 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental, or any agent of the owner authorized by the owner to take remedial action and who responds to any violation of this code.

Owner shall mean the natural person or persons who is/are the owner of record of the property. The term "owner" also includes a personal or family trust consisting solely of natural persons and the trustees of such trust or the members of any partnership, limited liability partnership, or limited liability company consisting solely of natural persons, the number of whom does not exceed four. The term "owner" does not include a business entity.

Owner's primary residence shall mean a residential property lived in by the owner for at least nine months, which is documented by at least two of the following: motor vehicle registration, voter registration, homeowner's exemption on their property taxes, utility bill, or tax documentation.

Property shall mean a residential, legal lot of record on which a short-term rental is located.

Rental term shall mean the period of time a responsible person rents or leases a short-term rental.

Responsible person shall mean an occupant of a short-term rental who is at least 21 years old and who shall be legally responsible for compliance of all occupants of the short-term rental and/or their guests with provisions of this chapter.

Single-family dwelling shall mean a residential unit designed and intended for occupancy by one household, which may be located in a standalone structure or within a development where each unit is independently owned. This includes detached homes and

condominiums, whether detached or attached, but excludes multi-unit buildings containing more than two dwelling units under single property ownership or with shared access corridors.

Short-Term Rental Permit shall mean a permit, issued by the city to allow the use of a single-family dwelling as a short-term rental.

Short-term rental shall mean a privately-owned residential dwelling, or portion thereof, unless otherwise prohibited, that is offered or provided to a guest by an owner for less than 30 consecutive days. The term short-term rental includes vacation rentals, limited vacation rentals, and homesharing rentals; however, it shall not include hotels, motels, inns, or bed and breakfasts.

STR zone shall mean a City recognized zone or area within the City. The City Council may for the purpose of this chapter only, determine the boundaries of STR zones by resolution. The City Council by resolution may recognize, for purposes of this chapter only, a new STR zone.

STR zone cap shall mean the maximum number of Short-Term Rental Permits that the City can approve in each STR zone. The STR zone cap shall be twenty (20) Short-Term Rental Permits per STR zone and shall be the same for all STR zones. The STR zone cap may be adjusted by the City Council by ordinance amending this chapter.

Vacation rental shall mean a single-family dwelling, or portion thereof, utilized for occupancy for dwelling, lodging, or sleeping purposes for a period of less than 30 consecutive days without the owner being present. An ongoing month-to-month tenancy granted to the same renter for the same unit for a period of 30 days or more is not a “vacation rental.”

16.110.040 Short-Term Rental – Permit Required for Homesharing; All Other Short-Term Rentals Prohibited.

- A. An owner must obtain a Short-Term Rental Permit for a homesharing rental. This Permit allows the owner to host guests in their primary residence, their eligible accessory dwelling unit, or a permitted habitable structure that is detached from the owner’s primary residence (such as a guest house) for a period of less than 30 consecutive days, provided the owner resides on-site throughout the guest’s stay. The holder of a Short-Term Rental Permit shall be responsible for complying with all requirements of this chapter.
- B. All other short-term rentals, including vacation rentals and limited vacation rentals, are prohibited. In accordance with subdivision (e) of California Government Code Section 66323, as amended from time to time or replaced by a successor statute, short-term rentals are prohibited in accessory dwelling units that were approved as State-mandated ADUs pursuant to California Government Code Section 66323.

16.110.050 Short-Term Rental – Permit Required.

- A. The operation of any kind of short-term rental without a Short-Term Rental Permit is prohibited. Only homesharing rentals are eligible for a Short-Term Rental Permit.
- B. A Short-Term Rental Permit shall not be issued to any business entity. A natural person, personal or family trust, or a partnership, limited liability partnership, or limited liability company that does not qualify as a “business entity” shall not maintain any financial interest in more than one short-term rental. For this purpose, financial interest includes both legal and beneficial ownership and any arrangement that provides for receipt of any portion of revenue generated by the short-term rental. For purposes of this section, a person shall be deemed to have a financial interest in any short-term rental that is owned by their spouse or registered domestic partner regardless of the terms of any contractual arrangement, such as any transmutation (i.e., pre- or post-nuptial) agreement. An owner shall only be issued and can only maintain one Short-Term Rental Permit at any time.
- C. Each owner of a short-term rental who rents, exchanges, trades, gifts, or grants such short-term rental for a period of less than 30 consecutive days shall fully comply with all provisions of this chapter related to the use and occupancy of a short-term rental, and the operational requirements provided in this chapter.
- D. No owner of residential property in the City shall rent any short-term rental for a period of less than 30 consecutive days without a valid short-term rental Permit pursuant to this chapter.
- E. A copy of the current Short-Term Rental Permit as issued by the City and the maximum number of guests allowed on the premises shall be displayed in a clear and legible manner in a conspicuous and easily accessible location in the short-term rental and on all advertising related to the short-term rental, including without limitation, web-based advertising, hosting platform, print media, and television.
- F. The issuance and/or renewal of a Short-Term Rental Permit shall be deemed evidence that the holder of such Permit has registered a short-term rental with the City and that holder acknowledges the holder’s obligation to comply with all provisions of this chapter and the code. The issuance of a Permit shall not be construed as bestowing or granting any vested right of entitlement.

16.110.060 Caps on Short-Term Rental Permits based on STR Zone.

- A. The City shall not issue any new Short-Term Rental Permits in any STR zone in which the STR zone cap has been exceeded or would, with the issuance of any such Permit, be exceeded. In the event the STR zone cap has been exceeded for a particular STR zone, and more than one additional complete applications are on file with the City for Short-Term Rental Permits within that STR zone, if and when the Permits issued for that STR zone falls below the applicable STR zone cap, any

additional Short-Term Rental Permits for that STR zone shall be issued in order of the date on which complete applications were received by the City (i.e., on a “first in time, first in right” basis).

16.110.070 Agency.

- A. An owner may retain an agent with an exclusive listing arrangement or representative to assist in the compliance with the requirements of this chapter, including, without limitation, the filing of a complete application for a Short-Term Rental Permit, the management of the short-term rental unit, and compliance with the requirements of this chapter including the collection and payment to the City of all transient occupancy taxes due and payable on the short-term rental. The owner and any such agent or representative of the owner must have the authority to remove any guest of the short-term rental for violation of any provision of this chapter or regulation thereof. Except as provided in subsection (B) of this section and notwithstanding any agency relationships between an owner and an agent or representative, the owner of the short-term rental shall execute all applications and documentary requirements as provided in this chapter and shall remain responsible for compliance with the provisions of this chapter. The failure of an agent to comply with this chapter shall not relieve the owner of the owner's obligations under the provisions of this chapter.
- B. In the event an owner enters into an exclusive listing arrangement, the Short-Term Rental Permit may be secured, and the transient occupancy registration certificate requirements provided in this chapter may be performed by the agent or representative and not by the owner; however, the agent or representative shall separately account all revenues and costs on a per property basis, including without limitation transient occupancy taxes and the gross rent amounts used to calculate such taxes.

16.110.080 Short-Term Rental Permit Application Requirements.

- A. An applicant for a Short-Term Rental Permit shall apply for the Permit on an application form furnished by or acceptable to the enforcement official and signed by the applicant under penalty of perjury. Each application shall contain the following information:
 - 1. The name, address, and telephone number of the owner of the property for which the Short-Term Rental Permit is to be issued. The name, address and telephone numbers of any other natural persons, limited liability companies or personal or family trusts that hold any financial interests in the short-term rental as well as copies of legal documents creating such financial interests.
 - 2. The name, address, and telephone number of the exclusive listing agent, if any, of the owner of the unit.
 - 3. The name, address, and 24-hour telephone number of the local contact person and verification that the local contact person can respond in person to the short-term rental property within 30 minutes. The local contact person may only use the

- address of the short-term rental if the local contact person will be present at the unit for the duration of each rental period.
4. The address of the residential property proposed to be used as a short-term rental.
 5. The number of bedrooms and the applicable overnight and daytime occupancy limit of the unit consistent with the provisions of 16.110.090(B).
 6. Evidence of a valid transient occupancy registration certificate issued by the City for the short-term rental.
 7. Acknowledgement of receipt and inspection of a copy of all regulations pertaining to the operation of the short-term rental type.
 8. Executed indemnification and hold harmless agreement in a form approved by the City Attorney, agreeing to indemnify, save, protect, hold harmless, and defend the City of Claremont, the City Council of the City of Claremont, individually and collectively, and the City of Claremont representatives, officers, officials, employees, agents, and volunteers from any and all claims, demands, damages, fines, obligations, suits, judgments, penalties, causes of action, losses, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising out of owner's actions or inaction in the operation, occupancy, use, and/or maintenance of the property.
 9. Evidence of insurance coverage as required under Section 16.110.090(v) of this chapter.
 10. Completion of building, fire, and safety inspection and completion of any corrections identified by an enforcement official. Such inspections shall include a review of the premises for compliance with the operational requirements of this chapter, including without limitation determining the total number of qualified bedrooms.
 11. Written acknowledgement in a form approved by the enforcement official of distribution of a neighbor notice. The Owner of a detached unit shall distribute a neighbor notice to properties abutting, directly, and diagonally across the street from their property. The owner of an attached unit shall distribute a neighbor notice to properties that directly share a wall, ceiling, or floor with their unit.
 12. Written acknowledgement in a form approved by the enforcement official that there are no covenants or other deed restrictions on the property that prohibit or limit the use of the property as a short-term rental. The enforcement official may accept a written consent from the governing board of a homeowners' association with jurisdiction over the property in satisfaction of this requirement.
 13. Such other information as the enforcement official deems reasonably necessary to administer this chapter.
- B. The application for a Short-Term Rental Permit shall be accompanied by a fee established by resolution of the City Council; provided, however, the fee shall be no greater than necessary to defer the cost incurred by the city in administering the provisions of this chapter.
- C. A Short-Term Rental Permit application shall be denied if a Permit for the same unit or issued to the same owner has previously been revoked pursuant to Section

16.110.130. The denial of a Short-Term Rental Permit for any reason may be appealed in accordance with the provisions of Chapter 16.321 of the Municipal Code.

- D. Short-Term Rental Permits do not run with the land. Upon change of property ownership, the Short-Term Rental Permit shall automatically terminate, and the property shall not be used as a short-term rental until the new or successor owner is issued a Short-Term Rental Permit. The provisions of Section 16.110.050(b) shall be applicable to any such new or successor owner. In the event of a change in agent or the occurrence of any other material fact set forth in the annual registration, a new Short-Term Rental Permit shall be required to continue the operation of the short-term rental and within seven days of said change the owner or their exclusive listing agent shall submit the required registration and fee.
- E. The recipient of a Short-Term Rental Permit must notify the enforcement official within seven days of the date the short-term rental property is sold or otherwise disposed of or after an event that results in the unit no longer being used as a short-term rental.

16.110.090 Operational Requirements and Standard Conditions.

- A. The owner shall use reasonably prudent property ownership/management practices to ensure that the short-term rental complies with all applicable codes regarding fire, building and safety, health and safety, and all other relevant laws.
- B. The owner shall limit overnight occupancy of the short-term rental to no more than two persons per bedroom plus one (e.g., for a two-bedroom short-term rental, the maximum occupancy would be five guests), and no more than eight occupants total (regardless of the number of bedrooms). The owner may allow up to two minor children, age 12 or under, to occupy the short-term rental in addition to the maximum number of occupants otherwise permitted under this subsection. For the purposes of this section, a studio shall be considered a one bedroom. The number of bedrooms in a short-term rental shall be verified by the enforcement official using county assessor records, city building records, and/or a physical inspection of the premises prior to the issuance of a Short-Term Rental Permit. The owner shall limit daytime occupancy of the short-term rental to no more than double the overnight occupancy limit (e.g., for a two-bedroom short-term rental, the maximum daytime occupancy would be ten guests), and no more than sixteen occupants total. Daytime occupancy shall include visitors or guests who are not staying on the property overnight.
- C. A maximum of one vehicle per bedroom, plus one additional vehicle (e.g. for a two bedroom short-term rental, the maximum number of vehicles is three vehicles), is allowed for each short-term rental. Overnight parking for all vehicles must be provided on-site. For the purposes of this section, a studio shall be considered a one bedroom.
- D. Advertising and/or renting one or more short-term rentals as part of a cluster or

compound is prohibited.

E. Reserved.

F. Reserved.

G. If the owner/operator of a homesharing rental does not live on-site in the home, and/or is not able to respond within 30 minutes to complaints regarding the condition, operation, or conduct of occupants of the homesharing rental, the property shall be deemed a vacation rental, which is not permitted.

H. During the rental term each short-term rental is rented, the owner, their agent, and/or the local contact person designated by the owner, after being contacted by the enforcement official, shall be available 24 hours per day, seven days per week, for the purpose of: (1) responding by telephone within 15 minutes of complaints from or through the hotline; and (2) responding in-person within 30 minutes to any additional or successive complaints regarding the condition, operation, or conduct of occupants of the short-term rental.

I. The owner shall use reasonably prudent property ownership/management practices to ensure that the occupants and/or guests of the short-term rental do not create unreasonable noise disturbances, engage in disorderly conduct, or violate provisions of the municipal code or any state law.

J. Notwithstanding the provisions of Section 16.154.020, any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any machine or device for the producing or reproducing of any sound shall be conducted within a fully enclosed structure and shall not be audible at the property line of the short-term rental.

K. Prior to occupancy pursuant to each separate occasion of rental of a short-term rental, the owner or the owner's agent or representative shall enter into a digital or hard copy written contract with a responsible person where: (1) the responsible person will provide the responsible person's name, age, address, and a copy of a government issued identification; (2) establishes and sets out the terms and conditions of the contract, including without limitation, occupancy limits, noise prohibitions, and vehicle parking requirements; (3) requires the responsible person to acknowledge and agree that he or she is legally responsible for compliance of all occupants of the short-term rental or their guests with all provisions of this chapter and/or the municipal code; (4) the owner or the owner's agent provides a copy of the "Good Neighbor Brochure" to the responsible person; (5) the responsible person provides a list of all guests by name; and (6) the responsible person provides a list of all guests' vehicles, including license plate numbers. Each contract shall be maintained by the owner or the owner's agent for a minimum of four years and shall be readily available for inspection upon request of the enforcement official. A summary or abstract of the contract, in a form approved by the enforcement official, shall be filed with the enforcement official prior to each applicable occupancy, in a

manner approved by the enforcement official.

- L. In the event the enforcement official notifies the owner or their agent that the responsible person, including any occupant and/or guest of the short-term rental unit, has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed one or more other violations of provisions of the City's Municipal Code or any state law, the owner shall promptly respond in a timely and appropriate manner to prevent a recurrence of such conduct by those occupants or guests, and remove one or more of the guests when requested by the enforcement official. For the purpose of this subsection and subsection (M) below, the phrase "in a timely and appropriate manner" shall mean in-person contact within 30 minutes for any call from the enforcement official.
- M. Failure of the owner or their agent to respond to calls or complaints regarding the condition, operation, or conduct of occupants of the short-term rental in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this chapter. It is not intended that an owner, agent, or local contact person act as a peace officer or place himself or herself in an at-risk situation.
- N. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the collectors in compliance with section 8.08.220. The owner shall use reasonably prudent property ownership/management practices to ensure compliance with all the provisions of Chapter 8.08 of the Municipal Code (Garbage and Solid Waste).
- O. All home repairs (external and internal), garden and yard maintenance, and pool cleaning and maintenance shall comply with all provisions of Chapter 16.154 of the Claremont Municipal Code (Environmental Protective Standards).
- P. The owner or the owner's agent or representative shall meet and greet the responsible party at the short-term rental and obtain their name, address, and a copy of a valid government identification. The owner or owner's agent shall explain and describe all rules and regulations applicable to the use of the property as a short-term rental and the responsibilities of the responsible party to the neighbors and the City as well as the owner. If an in-person meeting is not feasible, the owner or the owner's agent may communicate with the responsible party through digital written or verbal means, provided all required information is shared, including the rules, regulations and responsibilities of the responsible party.
- Q. The owner of the short-term rental shall post a copy of the Short-Term Rental Permit and a copy of the conditions set forth in this section, including all rules and regulations applicable to the use of the property as a short-term rental, a conspicuous and easily accessible location in the unit. For the purposes of a homesharing rental unit, this may be located in the rented room or portion of the home.
- R. The owner shall provide each occupant of a short-term rental with the following

information prior to occupancy of the unit and/or post such information in a conspicuous place within the unit:

1. The name of the managing agency, agent, rental manager, local contact person, or owner of the unit, and a telephone number at which that party may be reached on a twenty-four-hour basis;
 2. The maximum number of occupants permitted to stay in the unit during the day and overnight;
 3. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property;
 4. Notification that any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any machine or device for the producing or reproducing of any sound shall only be operated within a fully enclosed short-term rental and shall not be audible at the property line of the short-term rental;
 5. Notification that the occupant may be cited or fined by the city and/or immediately removed by the owner, in addition to any other remedies available at law, for creating a disturbance or for violating any provision of this chapter;
 6. Notification that failure to conform to the occupancy requirements of the short-term rental is a violation of this chapter;
 7. A copy of this chapter of the Claremont Municipal Code, as may be amended from time to time.
- S. The use of a short-term rental shall not violate any applicable conditions, covenants, or other restrictions on real property.
- T. The owner shall comply with all provisions of Chapter 3.28 of the Municipal Code concerning transient occupancy taxes, including, but not limited to, submission of a monthly return for each short-term rental in accordance with Section 3.28.060. The monthly return shall be filed each month regardless of whether the short-term rental unit was rented or not during each such month.
- U. The enforcement official shall have the authority to impose additional standard conditions, applicable to all short-term rentals, as necessary, to achieve the objectives of this chapter. A list of all such additional standard conditions shall be maintained and on file in the office of the City Clerk and such offices as the city manager designates.
- V. Notwithstanding the provisions of subsection (W) below, upon a determination of good cause, the enforcement official may impose additional or special standards or requirements for placement or imposition of special conditions or performance standards for owners, owner's agents, local contact persons, and their affected short-term rentals. The standard conditions may be modified by the enforcement official upon request of the owner or their agent based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term rental. All requests must be in writing and shall identify how the strict application of the standard

conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property as a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

- W. The enforcement official shall have the authority to establish administrative rules and regulations, which may include, but are not limited to, permit conditions, reporting requirements, inspection frequencies, enforcement procedures, advertising restrictions, disclosure requirements, or insurance requirements consistent with the provisions of this chapter, for the purpose of implementing, interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this chapter. No person shall fail to comply with any such regulation. A copy of such administrative rules and regulations shall be on file in the office of the City Clerk.
- X. Owner shall procure, maintain, and pay premiums for commercial insurance policies that cover short-term rental of property for each short-term rental with minimum limits as may be established by the city manager from time to time. Proof of a short-term rental platform's standard coverage may be sufficient for this section.
- Y. Owner in good standing shall secure a biannual building, fire and safety inspection prior to renewal of the Short-Term Rental Permit. Owner with one or more violations shall secure an annual building, fire and safety inspection prior to renewal of the Short-Term Rental Permit.

16.110.100 Specific Prohibitions.

- A. No person or entity shall place or caused to be placed or maintain or cause to be maintained any advertisement of a short-term rental that is in violation of any provision of this chapter.
- B. Short-term rentals are prohibited in units in multifamily housing. No person or entity shall offer or provide an apartment, or any portion thereof, as a rental for less than 30 consecutive days to any person. This prohibition shall not apply to duplexes.
- C. No landlord shall evict any tenant or otherwise terminate a lease for the purpose of converting the rental unit to a short-term rental or in anticipation of converting the rental unit to a short-term rental. In addition to any other remedy provided under the Claremont Municipal Code, failure to comply with this provision may be asserted as an affirmative defense in an action brought by or on behalf of the landlord to recover possession of the rental unit.
- D. No person shall offer to rent or rent an junior accessory dwelling unit (JADU) for a rental period of less than 30 consecutive days.
- E. Reserved.

- F. Reserved.
- G. No person who received funding through the City's ADU Grant Program or other city-provided funds for an ADU or JADU shall offer or provide an ADU, JADU, or primary residence for a rental period of less than 30 consecutive days during the terms of the covenant.
- H. No person shall use, or allow the use of, a short-term rental property for commercial and/or social events, including but not limited to weddings, receptions, baby showers, corporate gatherings, parties, or similar events that exceed the approved occupancy limits or generate income, sponsorship, or promotional benefits for the host. This prohibition applies regardless of whether the event is advertised, ticketed, or privately hosted. Short-term rental properties shall be used solely as temporary lodging accommodation.

16.110.110 Audit.

Each owner and agent or representative of any owner shall provide the enforcement official with access to each short-term rental and the books, records, documents, papers, tax returns, and financial records at any time during normal business hours as the enforcement official may determine are necessary or convenient for the purpose of inspection or audit to determine that the objectives and conditions of this chapter are being fulfilled.

16.110.120 Violations.

- A. Any person who violates a provision of this chapter is subject to criminal sanctions and administrative penalties pursuant to Chapter 16.406 and the specific penalties as provided in this chapter. Any person who uses, or allows the use of, residential property in violation of the provisions in this chapter is guilty of a misdemeanor for each day in which such residential property is used, or allowed to be used, in violation of this chapter. An administrative citation issued pursuant to Chapter 16.406 for a first violation shall be \$100, for a second violation \$200 and each subsequent violation shall be \$500. Each administrative citation for a violation of any provision of this chapter shall be levied or assessed against the owner or responsible person.
- B. Upon the third violation in any twelve-month period, the enforcement official shall suspend the Short-Term Rental Permit for two years. Notwithstanding the preceding sentence, failure by any person who is responsible to remit to the city the city's transient occupancy tax pursuant to Chapter 3.24 following written notice to do so, shall result in a suspension for 12 months of that person's Short-Term Rental Permit for the applicable property.
- C. Any person who operates a short-term rental without the required Short-Term Rental Permit, shall be liable to the city for the payment of transient occupancy tax pursuant to the provisions of the Claremont Municipal Code Chapter 3.24, including, without

limitation, penalties and interest, payment of an administrative fine in the amount of \$100, and permanent ineligibility to operate a short-term rental in the city. In the event the person continues to operate a short-term rental without a Short-Term Rental Permit, the person shall be liable for an administrative fine in the amount of \$200 for the second violation and \$500 for each subsequent day the short-term rental is operated without a certificate.

- D. Any person who advertises a short-term rental without including the Short-Term Rental Permit number in any advertising for such short-term rental or without timely tendering full monthly payments of transient occupancy tax, shall pay a fine in the amount of \$100 and the owner's Short-Term Rental Permit may be suspended for six months for a first offense and shall pay a fine in the amount of \$200 and the owner's Short-Term Rental Permit may be revoked for a second offense. For each subsequent violation the City may impose a fine in the amount of \$500.
- E. The failure of an owner or the owner's agent or representative to comply with an order of any police officer may result in the revocation of the Short-Term Rental Permit.
- F. The appeal and hearing provisions of Chapter 16.321 shall apply to any revocation or suspension of a Short-Term Rental Permit.
- G. Any person who fails to pay any fee or charge provided in this chapter within the time required shall pay a penalty in the amounts established by the City Council by resolution. Such penalty may also include interest from the date on which the fee or charge became due and payable to the city until the date of payment.
- H. The filing of knowingly false claims against a short-term rental or the guests staying in a short-term rental is prohibited and shall be punishable by administrative fines as provided in Chapter 16.406 of this code.
- I. In addition to, and not in lieu of, any other remedy allowed by law, all remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy, criminal, civil, or administrative which may be pursued by the city to enforce this chapter and/or address any violation of this code or to remedy any other public nuisance.

16.110.130 Requirements Not Exclusive.

The requirements of this chapter shall be in addition to any license, permit, or fee required under any other provision of this code. The issuance of any permit pursuant to this chapter shall not relieve any person of the obligation to comply with all other provisions of this code pertaining to the use and occupancy of Short-term rental or the property on which it is located.

16.110.140 Pilot Program

This chapter is a pilot program that shall be re-evaluated by the City Council after one year of its effective date. The City makes no commitment to renew Short-Term Rental Permits if it discontinues this pilot program.

SECTION 4. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance which can be implemented without the invalid provisions, and to this end, the provisions of this Ordinance are declared to be severable. The City Council hereby declares that it would have adopted this Ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

SECTION 5. The mayor shall sign this ordinance and the city clerk shall attest and certify to the passage and adoption of it, and within fifteen (15) days, publish a summary in the Claremont Courier, a weekly newspaper of general circulation, printed, published, and circulated in the City of Claremont and thirty (30) days thereafter it shall take effect and be in force.


PASSED, APPROVED, AND ADOPTED this 13th day of May, 2025.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont