



Short-Term Rental Permit Checklist Form

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Dear Applicant:

In an effort to improve customer service and ensure development projects are processed as quickly as possible, the Planning Department finds it necessary to remind its clients that complete application submittals are crucial to the plan review process. In the past, accepting incomplete applications has led to errors and time delays at the end of the review process. I do not want this to happen to you.

Consequently, the Planning Department staff will only accept complete applications at time of submittal. All items requested by this application packet must be provided before the Planning Department counter staff can accept your application for filing. Please review all minimum requirements prior to submitting your application, as counter staff do not have the authority to waive any requirements.

Please remember that failure to provide all of the required plans and information will result in significant time delays in the processing of your application. If you have any questions regarding the necessity of any particular item required by this application packet, please feel free to contact the Planning Department counter supervisor to discuss your questions.

The Planning Department looks forward to a continued efficient and professional relationship with you in the future. If you have any questions, comments, or concerns regarding this matter, please feel free to contact the Planning Department at (909) 395-2036.

Respectfully,

A handwritten signature in blue ink, appearing to read "H. Noh". The signature is fluid and cursive.

Henry K. Noh
Planning Director

ATTENTION!

The City of Ontario strives to provide you with efficient and effective service in a businesslike manner. We are committed to the principle that every interaction you have with the City must be based on honesty and integrity.

City employees are prohibited by law from soliciting or accepting money, services, or gifts of any kind in connection with the discharge of their duties.

If you are approached or are aware of any violation of this policy, please immediately contact any of the following:

- Scott Ochoa, City Manager (909) 395-2396 or sochoa@ontarioca.gov
- Mike Lorenz, Police Chief (909) 395-2710 or mlorenz@ontarioca.gov
- Ethics Line (800) 500-0333



Short-Term Rental Permit Frequently Asked Questions

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WHAT IS A SHORT-TERM RENTAL PERMIT AND WHEN IS IT REQUIRED?

A short-term rental is a dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary consideration, including trade, fee, swap or any other consideration in lieu of cash payment. Hosted stays, Un-hosted stays, and vacation rentals are types of short-term rental.

A Short-Term Rental Permit is required when the establishment of a short-term rental is being requested by the resident. The Permit is designed to ensure that the operation of a short-term rental will not have an adverse impact on the surrounding residential district.

WHY ARE SHORT-TERM RENTALS REGULATED?

The purpose in regulating short-term rental is to ensure the compatibility between short-term vacation rentals and the residential character of neighborhoods in which they may be located.

WHAT ARE THE REQUIREMENTS TO BE A HOST?

The host shall be:

1. The property owner or the spouse, parent, or adult child of the property owner; or
2. A tenant of the property who has occupied the property as his or her primary residence prior to making application for a short-term rental permit and who has submitted written authorization from the property owner to operate short-term rental at the residence.

WHERE ARE SHORT-TERM RENTALS REQUIRED TO BE LOCATED?

Short-term rentals must be located within the following zones: AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, HDR-45, MU-1, MU-3, MU-6, MU-8B, MU-8C, MU-8D and MU-8E, including residential and mixed-use zoning districts within specific plan and planned unit development areas. Dwelling units are not permitted to be used as short-term rentals in any other zones.

WHEN DOES A SHORT-TERM RENTAL PERMIT EXPIRE?

A short-term rental permit shall be valid for 12 months from the date of issuance and shall expire and become null and void on the first anniversary date of its issuance. A person may apply for a permit renewal on a form provided by the city prior to the expiration of his or her active short-term rental permit and upon successfully completing an inspection by city staff. The applicant shall be required to pay the administrative fee for the permit renewal fee in the amount established by city council resolution at the time the renewal application is filed. Failure of the applicant to submit a complete application prior to the expiration date of the existing short-term rental permit shall be a basis for denial of the renewal for the new location.

Furthermore, the director may revoke a short-term rental permit issued to a short-term rental host for a second or subsequent violation of this chapter within any period of time or for any violation of Chapter 6 of Title 3 of the Ontario Municipal Code relating to transient occupancy tax. A short-term rental host whose permit is revoked may apply for a new short-term rental permit one year after the revocation of the permit.



Short-Term Rental Permit Minimum Filing Requirements Checklist

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MINIMUM FILING REQUIREMENTS CHECKLIST

The minimum requirements for filing a Short-Term Rental Permit application are listed below and shall be submitted through our Citizen Portal Access website at <https://automation.ontarioca.gov/onlinePermits>. Each item below shall be labeled accordingly and must be in **PDF file format**. An application that does not include the following plans and information will not be accepted for processing:

- Completed *Short-Term Rental Permit Application* form.
- A site plan (with parking layout) and floor plan of the property indicating areas intended for use as short-term rental. (Note: Refer to the [Plan Preparation Guidelines & Minimum Plan Contents Checklist for the minimum plan preparation requirements](#).) See pages 3 and 4 for examples.
- Documentation indicating the number of bedrooms within the dwelling unit, such as a record from the County Assessor's Office.
- Documentation establishing that the dwelling unit proposed to be used as a short-term rental is the host's primary residence. Such documentation shall include at least two of the following and be in the name of the host: Motor vehicle registration, driver's license, voter registration, or tax documents showing the residential unit as the residence of the host.
- Two passport size photographs of the applicant.
- Evidence that the applicant has applied for and is in the process of obtaining business license pursuant to Chapter 1 of Title 3 of the Ontario Municipal Code. Business license application forms can be found here: ontarioca.gov/BusinessLicense. Any questions about the business license application process shall be directed to BusinessLicense@ontarioca.gov.
- Completed and signed *Applicant/Property Owner Acknowledgement Form* (See page 7).
- Copy of a valid Driver's License.
- Any other information required by regulations promulgated pursuant to this chapter or deemed necessary by the Planning Director.

PLAN PREPARATION GUIDELINES

Plans not conforming to the guidelines below will not be accepted for processing.

- All uploaded plan documents shall be provided in PDF format.
- All plans should be clear, legible, and accurately scaled.
- All plans shall be clearly labeled with the title of each sheet and have a unique sheet number.
- All site plans need to contain a north arrow and a legend identifying any symbols.

MINIMUM PLAN CONTENTS CHECKLIST

The items listed below shall be provided on each of the required plans and are considered a minimum. Additional information may be necessary for clarification during the review process.

Site Plan:

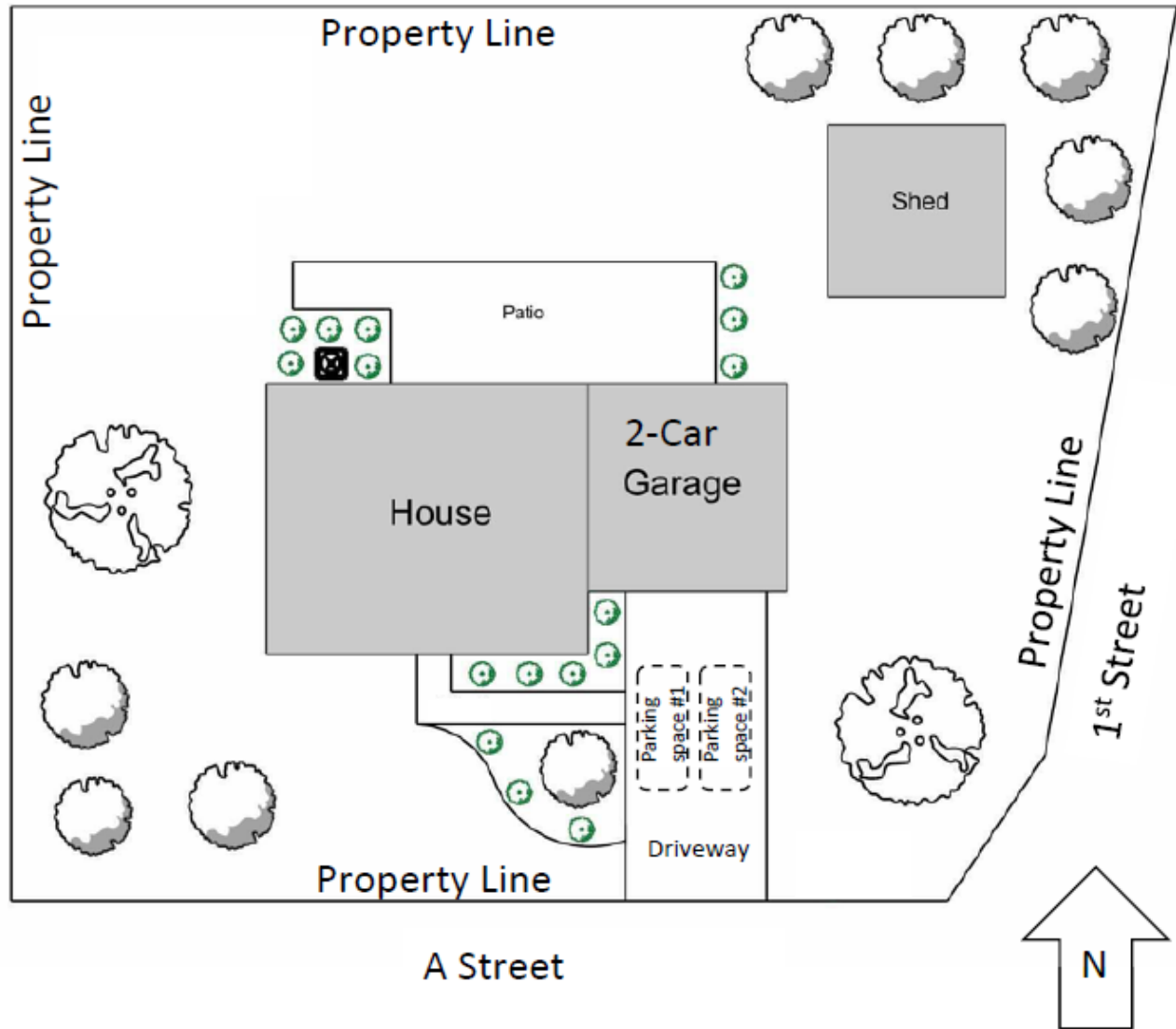
- Property lines.
- North arrow.
- Location and names of any streets or alleys adjacent to the property.
- All onsite buildings and structures (i.e. house, attached or detached garage, pool, driveway, etc.).
- The location of all paved covered/uncovered paved parking areas showing number, and typical dimension of spaces.

Floor Plan:

- All floors, including labels use of each room (bedroom, kitchen, game room, etc.).
- Indicate the rooms and/or area within the home to be used by guests.

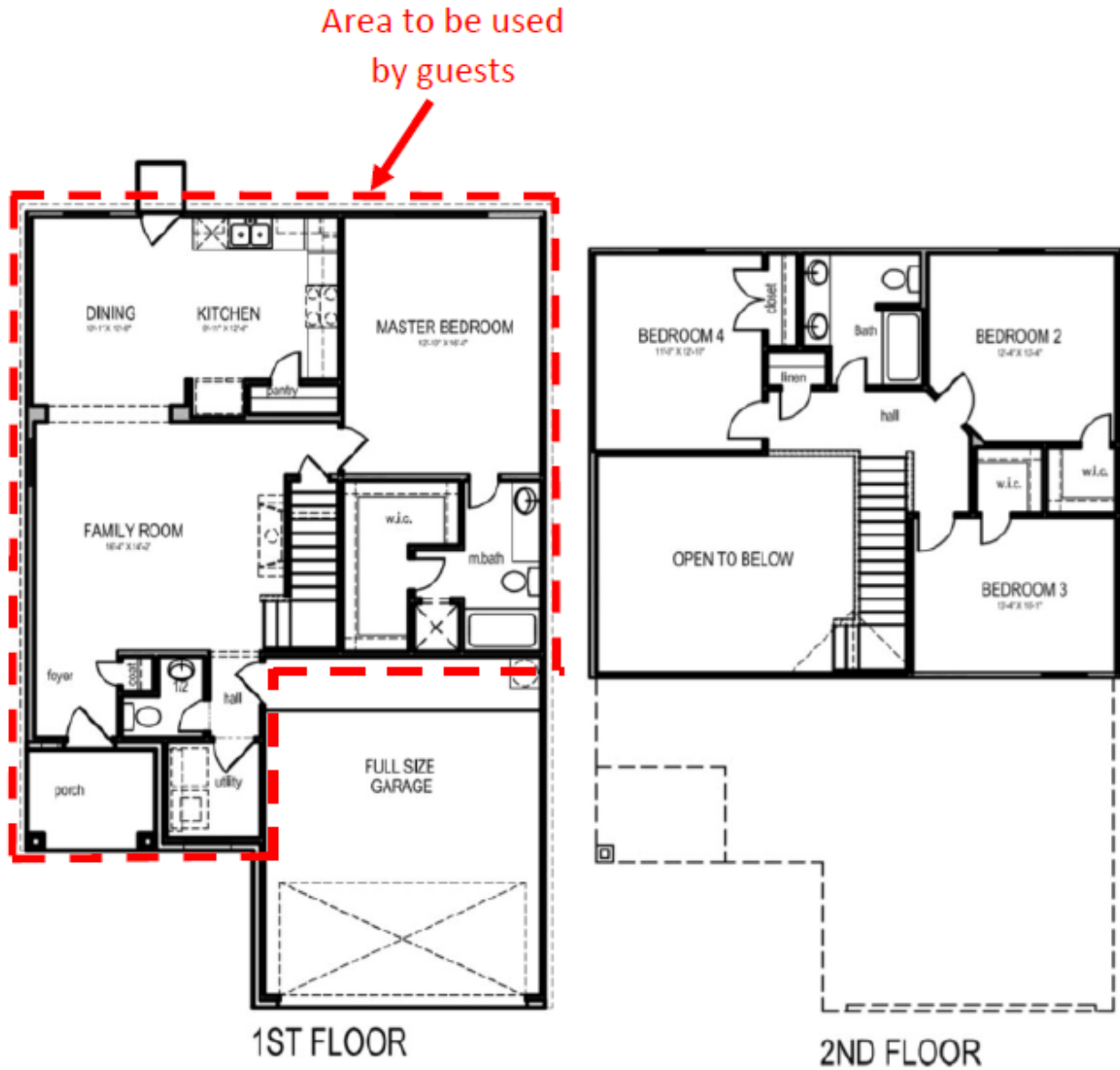
Short-Term Rental Permit Site Plan Example

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Short-Term Rental Permit Floor Plan Example

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Short-Term Rental Permit Safety Inspection Checklist

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SAFETY INSPECTION CHECKLIST

This checklist is provided for reference so the host may prepare for a successful inspection. It is not required to be completed or returned to the City by the host.

ELECTRICAL

1.	Are all light fixtures, light switches, and electrical receptacles in proper working order?	
2.	Are there any exposed wires or missing/broken/painted outlet covers?	
3.	Are the electrical panels or subpanels in proper order?	
4.	Are there any unpermitted electrical system alterations?	

EXTERIOR

1.	Has the building been altered without permits?	
2.	Is there peeling paint, dry rot, stucco or siding damage, overgrown landscaping, inadequate landscaping, trash accumulation, or inoperable vehicles or junk stored on the property?	
3.	Are the exterior doors and moldings in proper order?	
4.	Are the exterior lights, fences, walkways, porches, stairs, railings, and address numbers well maintained?	
5.	If there is a swimming pool on the property, is it secured and maintained?	
6.	Are trash containers, RVs, and boats stored outside of public view?	
7.	The property has at least one (1) public-facing camera at or near the front entrance of the home that enables the host or manager to remotely monitor the number of individuals entering the home and activity in the front yard, and also has at least one (1) public-facing camera over the garage of the home that enables the host or manager to remotely monitor the activity in the front driveway and street in front of the residence.	

GARAGE/PARKING

1.	Are the garage or carport walls, ceilings, doors, and locks free from holes or improper repairs?	
2.	Are the parking areas (driveway, garage floor) well maintained?	
3.	Is the carport/garage free from unpermitted alterations?	
4.	Is the carport/garage being used as living space?	
5.	Are all appliances in proper working order?	

INTERIOR SAFETY/FLOORING/WALLS/CEILING AND PAINT

1.	Is the floor well maintained?	
2.	Are there any pest infestations?	
3.	Are all smoke alarms and carbon monoxide detectors in proper working order?	
4.	Are all stairs and handrails to code?	
5.	Are all baseboards, walls, and ceilings clean, painted, and free from mildew or water damage?	

Short-Term Rental Permit Safety Inspection Checklist

KITCHEN/BATH

1.	Are all walls, cabinets, vanities, backsplashes, countertops, sinks, toilets, bathtubs, and showers well maintained and in proper working order?	
2.	Are all appliances, vents, and lights in proper working order?	
3.	Is there adequate water pressure and hot water available at all sinks, tubs, and showers?	

ROOF/FASCIA

1.	Has the roof been re-roofed without permits?	
2.	Are there dips or slopes in the roof indicating structural issues?	
3.	Are the eaves/fascia/flashing well maintained?	

WINDOWS/DOORS

1.	Are all doors, closet doors, doorknobs, deadbolts, locks, door frames, door thresholds, and weather stripping well maintained and in proper working order?	
2.	Are all windows, window screens, window coverings, window frames, windowsills, window glass, and weather stripping well maintained and in proper working order?	

MECHANICAL SYSTEMS

1.	Are there any unpermitted alterations to plumbing or gas systems?	
2.	Is the air conditioning and/or heating systems in proper working order?	
3.	Is the water heater installed to meet code?	
4.	Are all laundry hookups and electrical outlets or fixtures properly installed?	

RENEWAL (In addition to the checklist items provided above, renewals will also require a review of the following):

31.	Community Improvement history reviewed.	
32.	Police Department response history reviewed.	
33.	Fire Department response history reviewed.	
34.	TOT Payment reviewed.	
35.	Business License renewal.	



Applicant/Property Owner Acknowledgement Form

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PROJECT INFORMATION

Project Name: _____
 Project Location: _____
 Assessor's Parcel Number: _____
 Applicant's Name: _____
 Applicant's Address: _____
 Phone: _____ Email: _____

For Staff Use Only

File No.: _____
 Related Files: _____

 Submittal Date: _____
 Rec'd By: _____

TYPE OF REVIEW REQUESTED (Check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Administrative Use Permit
<input type="checkbox"/> Downtown Mixed Use
<input type="checkbox"/> Boarding House
<input type="checkbox"/> Massage Establishment
<input type="checkbox"/> Reverse Vending Machine
<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Urban Agriculture Permit
<input type="checkbox"/> Appeal
(Related Files): _____
<input type="checkbox"/> Billboard Location Agreement
<input type="checkbox"/> CC&R Review
<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Development Agreement/Amendment
<input type="checkbox"/> Development Code Amendment
<input type="checkbox"/> Development Plan | <input type="checkbox"/> DIF Credit Agreement/Amendment
<input type="checkbox"/> DIF Deferral Agreement
<input type="checkbox"/> Extension of Legal Nonconforming Status
<input type="checkbox"/> General Plan Amendment
<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Add to/Remove from Eligibility List
<input type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Demolition
<input type="checkbox"/> Economic Hardship
<input type="checkbox"/> Landmark/Historic District Designation
<input type="checkbox"/> Mills Act Contract
<input type="checkbox"/> Plaque Order Form
<input type="checkbox"/> Land Use Determination
<input type="checkbox"/> Planned Unit Development/Amendment
<input type="checkbox"/> Preliminary Review | <input type="checkbox"/> Short Term Rental Permit
<input type="checkbox"/> Sign Plan
<input type="checkbox"/> Sign Program
<input type="checkbox"/> Specific Plan/Amendment
<input type="checkbox"/> Temporary Sign Permit
<input type="checkbox"/> Tentative Parcel/Tract Map
<input type="checkbox"/> Time Extension
(Related Files): _____
<input type="checkbox"/> Variance
<input type="checkbox"/> Williamson Act Contract –
Nonrenewal/Cancellation
<input type="checkbox"/> Zone Change
<input type="checkbox"/> Zoning/Land Use Verification
<input type="checkbox"/> Other: _____
_____ |
|---|--|---|

APPLICANT ACKNOWLEDGEMENT

I, the undersigned, certify and say that I am the applicant in the foregoing application, that I have read the foregoing application and know the content thereof, and state that the same is true and correct to the best of my knowledge and belief.

Furthermore, I hereby agree to defend, indemnify, and hold harmless the City of Ontario or its agents, officers, and employees, from any claim, action or proceeding against the City of Ontario or its agents, officers or employees, to attack, set aside, void, or annul any approval by the City of Ontario, whether by its City Council, Planning Commission, or other authorized board or officer, as it pertains to this application. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

Date: _____ Signature: _____
 Name (print or type): _____

PROPERTY OWNER / OFFICER ACKNOWLEDGEMENT

I, the undersigned, do hereby certify and state that I am the owner, officer, for the property(ies) in the foregoing application, that I have read the foregoing application, and that I know the content thereof, and do further state that the same is true and correct to the best of my knowledge and belief.

Date: _____ Signature: _____
 Name (print or type): _____
 Mailing Address: _____
 Phone: _____ Email: _____

SHORT-TERM RENTAL REGULATIONS (DEVELOPMENT CODE SECTION 5.03.363)

A. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

1. Booking transaction means any reservation or payment service provided by a person who facilitates a short-term rental, home sharing, or similar transaction between a prospective guest and a host.
2. Director means the finance director of the City of Ontario.
3. Dwelling unit means a structure or portion thereof which is used for human habitation.
4. Guest means a person who rents a short-term rental for a period of less than 30 days.
5. Group means a single guest or any number of guests who are occupying a short-term rental on a single rental agreement.
6. Host means a person engaged in providing short-term rental at their primary residence.
7. Hosted stay means short-term rental activity whereby the host remains on the site of his or her primary residence throughout the duration of the guest's stay, except during daytime and/or work hours.
8. Hosting platform means a marketplace in whatever form or format which facilitates the short-term rental activity, through advertising, match-making, or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.
9. Primary residence means the dwelling unit used as the permanent residence or usual place of return for housing by the host. A person may have only one primary residence.
10. Short-term rental means a dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary consideration, including trade, fee, swap or any other consideration in lieu of cash payment. Hosted stays, Un-hosted stays, and vacation rentals are types of short-term rental.
11. Transient occupancy tax or "TOT" means the tax imposed on occupancies of 30 consecutive calendar days or less under Chapter 6 of Title 3 of the Ontario Municipal Code.
12. Un-hosted stay means a short-term rental activity whereby the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay.
13. Vacation rental means a dwelling unit that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. The term "vacation rental" shall not include: single-room occupancy buildings, bed and breakfast inns, hotels, a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

B. Permit required for authorized short-term rental No person, either for themselves or any other person, shall cause, allow, conduct, permit, maintain, or facilitate short-term rental at any dwelling unit within the city without first obtaining a short-term rental permit pursuant to this chapter, and complying with all other applicable provisions of this code. A short-term rental permit shall only be issued to authorize hosted stays and un-hosted stays. Vacation rentals are prohibited.

C. Permit application

To apply for a short-term rental permit, a person seeking to become a host must file an application with the City, accompanied by a nonrefundable processing fee in an amount established by resolution of the city council. The application shall be in a form prescribed by the City and shall contain, at a minimum, the following:

1. The legal name, current address and telephone number of the applicant;
2. Address of the short-term rental property, and if applicable, location telephone number;
3. An index of all residents of the property with name and date of birth, juveniles may be listed by title and age only;
4. A diagram of the property indicating areas intended for use as short-term rental;
5. Documentation indicating the number of bedrooms within the dwelling unit, such as a record from the County Assessor's Office;

6. A parking plan indicating sufficient lawful parking on the property for all vehicles belonging to residents and one additional space for each bedroom of the house to be used for short-term rental;
 7. Evidence that the applicant has applied for and is in the process of obtaining a business license pursuant to Chapter 1 of Title 3 of the Ontario Municipal Code;
 8. A home occupation permit pursuant to Section 5.03.240 of the Ontario Development Code is not required;
 9. Emergency contact information for 24-hour response within 30 minutes;
 10. Certification by the applicant that the information contained in the application is true to his or her knowledge and belief;
 11. Documentation establishing that the dwelling unit proposed to be used as a short-term rental is the host's primary residence. Such documentation shall include at least two of the following and be in the name of the host: Motor vehicle registration, driver's license, voter registration, or tax documents showing the residential unit as the residence of the host;
 12. Two passport size photographs of the applicant; and
 13. Any other information required by regulations promulgated pursuant to this chapter or deemed necessary by the director.
- D. Application investigation and criteria for approval or denial or permit upon receipt of a completed application, the City, shall cause an investigation of the applicant and the application as submitted. The investigation shall be completed in a timely manner as follows and the applicant shall be notified of the result in writing in a timely manner:
1. The applicant shall be required to pay the established fees for such service in addition to the permit fee.
 2. Inspection of the property by city staff shall be scheduled within 30 days of application. Annual inspections will be required upon renewal of a short-term rental permit.
 3. If, as a result of this investigation, the applicant is found to satisfy all of the requirements of Section 5.03.063.D., and no grounds for denial exist, the application shall be approved, and a short-term rental permit shall be issued to the applicant. The permit shall contain the name, address of the permittee, a description of the short-term rental to be offered, the date of issuance and term of the permit, photograph of the permittee, and the signature of the Planning Director or his or her designee.
 4. A short-term rental permit application may be denied for any of the following reasons:
 - a. Information contained in the application, or supplemental information requested from the applicant, is false or misleading in any material detail;
 - b. The applicant failed to provide a complete application, after having been notified of the requirement to produce additional information or documents;
 - c. The applicant is delinquent in payment of any city or county taxes, fines, or penalties in relation to short-term rental;
 - d. The applicant has previously held a short-term rental permit which was revoked by the city during the year prior to the application;
 - e. The applicant has failed to pay any previous administrative fines, remediate any other violations, and/or complete any other alternative disposition associated with a previous violation of this chapter; or
 - f. The applicant has failed to demonstrate an ability to conform to the operating standards set forth in Section 5.03.063.1 5.03.363.1. If the permit application is denied, written notice of such denial and the reasons therefore shall be provided to the applicant.

E. Permit expiration and renewal

A short-term rental permit shall be valid for 12 months from the date of issuance and shall expire and become null and void on the first anniversary date of its issuance. A person may apply for a permit renewal on a form provided by the city prior to the expiration of his or her active short-term rental permit and upon successfully completing an inspection by city staff. The applicant shall be required to pay the administrative fee for the permit renewal fee in the amount established by city council resolution at the time the renewal application is filed. In addition, the applicant shall renew their business license. Failure of the applicant to submit a complete application prior to the expiration date of the existing short-term rental permit shall be a basis for denial of the renewal.

F. Permit revocation

Two (2) violations of any provision of this chapter or this code within one (1) year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one (1) residential dwelling shall result in an immediate suspension of the short-term vacation rental permit. The director may revoke a short-term rental permit issued to a short-term rental host for a third or subsequent violation of this chapter within any period of time or for any violation of Chapter 6 of Title 3 of the Ontario Municipal Code relating to transient occupancy tax. A short-

term rental host whose permit is revoked may apply for a new short-term rental permit one year after the revocation of the permit. A revocation under this section may be appealed in accordance with the procedure set forth in Section 5.03.363(G), below.

G. Appeals

Any person whose short-term rental permit is denied or revoked may file an appeal of the decision in writing with the city clerk within 15 days following the date of the director's decision stating the grounds for said appeal. The appellant shall pay a non-refundable fee in an amount established by resolution of the city council for such appeal. The city clerk shall schedule an appeal hearing with the city manager or his or her designee within 15 days of an appeal being filed. The decision of the city manager or the designee shall be final.

H. Permits nontransferable

A short-term rental permit granted pursuant to this chapter shall not be transferable to another person, parcel number, or to another property owner. Said permit shall not run with the land or property to which it applies.

I. Operating requirements

Short-term rental hosts shall comply with the following requirements:

1. The host shall be:

- a. The property owner or the spouse, parent, or adult child of the property owner.
- b. A tenant of the property who has occupied the property as his or her primary residence prior to making application for a short-term rental permit and who has submitted written authorization from the property owner to operate short-term rental at the residence.

2. The dwelling unit shall be the primary residence of the host.

3. The dwelling unit must be located within the following zones: AR-2, RE-2, RE-4, LDR-5, MDR-11, MDR-18, MDR-25, HDR-45, MU-1, MU-3, MU-6, MU-8B, MU-8C, MU-8D and MU-8E, including residential and mixeduse zoning districts within specific plan and planned unit development areas. Dwelling units are not permitted to be used as short-term rentals in any other zones.

4. All advertising for the dwelling unit as a short-term rental that is displayed on a hosting platform or other media shall display the number of the current and valid permit as issued by the city, a street-view photo of the front of the house and the maximum number of guests based on the occupancy limit set forth in subsection 1.5.

5. The dwelling unit's occupancy, including the host, other residents of the dwelling unit, and guests, during a short-term rental shall not exceed two times the number of bedrooms of the dwelling unit.

6. The short-term rental permit shall be conspicuously displayed in each area of the dwelling unit available for occupancy.

7. Any accessory dwelling unit subject to a covenant that specifically prohibits rentals of 30 days or less may not be used as a short-term rental.

8. A single dwelling unit shall be limited to two groups of any number concurrently or two concurrent booking transactions.

9. The short-term rental shall comply with all applicable provisions of this Code and State law.

10. Conditions that cause a public nuisance, as defined by this code or state law, are prohibited at the dwelling unit during a short-term rental.

11. Un-hosted stays shall be limited to a total of 90 days within a calendar year at the same dwelling unit. Hosted stays shall not be limited.

12. Excessive traffic to and from the short-term rental that significantly impairs the quiet enjoyment of neighboring properties is prohibited.

13. Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. The amplification of sound by any device outside the short-term rental is prohibited. Quiet hours during which noise must be restricted to the interior of the short-term rental shall be between 10:00 p.m. and 7:00 a.m. the following morning.

14. The obstruction of any public right-of-way, road, street, highway, or private road by occupants of the unit is prohibited.

15. No event, including a conference, wedding, fundraiser, or similar gathering, or any commercial event, may be held at a short-term rental.

16. The permittee shall install at least one (1) public-facing camera at or near the front entrance of the home that enables the host or manager to remotely monitor the number of individuals entering the home and activity in the front yard. The permittee shall install at least one (1) public-facing camera over the garage of the home that enables the host or

manager to remotely monitor the activity in the front driveway and street in front of the residence. The permittee shall maintain video recordings from both required cameras for a minimum of 30 days.

17. A permittee shall, for a period of at least one year after the date of each stay, keep written rental records that document the following information:

- a. All dates on which the permittee rented the short-term rental to one or more guests;
- b. The name and contact information for each renter; and
- c. The license plate(s) of vehicles associated with the renter stored at or near the short-term rental during their stay.

18. Short-term rentals, within those neighborhood communities with established Homeowner Associations (HOAs), shall comply with any HOA Short-Term Rental provisions and/or regulations.

19. Off-street parking spaces shall be provided on the property sufficient for all vehicles associated with the short-term rental property or its occupants in accordance with the Ontario Development Code Section 6.03.015. Parking is allowed only in designated driveways and garages. The maximum number of vehicles at a Short-Term rental property at any time is equivalent to the minimum number of parking spaces required for that property.

J. Hosting platform requirements

1. Hosting platforms shall be responsible for collecting all applicable TOTs and remitting the same to the city. TOT remittance is due monthly, in accordance with Chapter 6 of Title 3 of the Ontario Municipal Code. The hosting platform shall be considered a managing agent of the host for purpose of TOT collections and remittance responsibilities as set forth in Chapter 6 of Title 3 of the Ontario Municipal Code.

2. Subject to applicable laws, hosting platforms shall disclose to the city on a regular basis each short-term rental listing located in the city, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.

3. Hosting platforms shall require hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is non-compliant, hosting platforms shall cease any short-term rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for a residential property or unit subject to a city notice until notified by the city that the residential property or unit is in compliance with the local registration requirement.

4. Hosting platforms shall not collect or receive a fee, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to a vacation rental or unregistered short-term rental, including, but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the dwelling unit.

5. A hosting platform operating exclusively on the internet, which operates in compliance with subsections 1., 2., 3., and 4. above, shall be presumed to be in compliance with this chapter.

6. The provisions of this section shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the city to be in violation of, or preempted by, any such law(s).

K. Enforcement and penalties.

1. Operating a short-term rental without a valid short-term rental permit and business license is prohibited. Advertising shall be considered prima facie evidence of operation. Additional evidence of operation may include, but shall not be limited to, guest testimony, online reviews, rental agreements, receipts, or any other information deemed relevant by the city.

2. A violation of this chapter shall constitute a public nuisance, which may be abated by any means provided by law, including, but not limited to, injunctive relief, issuance of administrative fines pursuant to Chapter 2 of Title 1 of the Ontario Municipal Code, and shall also constitute a misdemeanor punishable pursuant to Chapter 2 of Title. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties. Nothing in this section shall preclude the city from also issuing a citation upon the occurrence of the same offense on a separate day.

3. An administrative citation may impose a civil penalty for one (1) or more violations of this chapter in the maximum amount allowed by state law or this code. A civil penalty issued in accordance with this code shall be in the amount of one thousand dollars (\$1,000.00) for the first violation, two thousand dollars (\$2,000.00) for the second violation, and three thousand dollars (\$3,000.00) for the third and all subsequent violations.

4. Each and every day, or portion thereof, a violation of this chapter exists shall constitute a separate and distinct violation.

5. The remedies provided herein are intended to be cumulative and may be used in lieu of or in addition to any other remedy provided by this chapter or other law.