

ORDINANCE NO. 3381

**AN ORDINANCE OF THE CITY OF CORONA,
CALIFORNIA, AMENDING CHAPTER 5.55 OF THE
CORONA MUNICIPAL CODE TO PROHIBIT SHORT
TERM RESIDENTIAL RENTALS**

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on October 4, 2017, the City Council adopted Ordinance No. 3272 adding Chapter 5.55 to the Corona Municipal Code (“CMC”) to permit and establish regulations for short-term residential rentals, which is defined as the rental of any legally permitted dwelling unit, or one or more portions of any legally permitted dwelling unit, for occupancy purposes for a period of 30 consecutive calendar days or less; and

WHEREAS, since the adoption of Ordinance No. 3272, the City has received numerous noise, nuisance and neighborhood disturbance complaints concerning short-term residential rentals; and

WHEREAS, the City Council has determined that the operation of short-term residential rentals within residential areas and neighborhoods has created significant negative secondary impacts and unreasonable nuisance conditions on surrounding residential properties related to noise, traffic, safety, parking, etc., and disrupts the quietude and character of residential neighborhoods; and

WHEREAS, the City Council desires to amend CMC Chapter 5.55 to prohibit short-term residential rentals; and

WHEREAS, the City Council desires to allow Legal Nonconforming Short Term Rentals, as defined herein, to continue to operate, in strict accordance with the City’s uncodified Ordinance No. 3383, which Ordinance is deemed to be incorporated herein by this reference, but only until the expiration of the current short-term residential rental unit permit issued for that unit.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that

CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action amends the Corona Municipal Code to prohibit short-term residential rentals, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 3. Amendments to Chapter 5.55. Chapter 5.55 (Short-Term Residential Rentals) of Title 5 (Business Licenses and Regulations) of the Corona Municipal Code is hereby amended in its entirety to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 4. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. Conflicting Ordinances. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 6. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2023.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the ____ day of _____ 2023, and thereafter at a regular meeting held on the ____ day of _____ 2023, it was duly passed and adopted by the following vote of the City Council:

AYES:

NOES:

ABSTAINED:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this ____ day of _____ 2023.

City Clerk of the City of Corona, California

(SEAL)

EXHIBIT "A"

CHAPTER 5.55 SHORT-TERM RESIDENTIAL RENTALS

Sections

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~~5.55.010~~ Purpose.

~~(A) — The~~ It is the purpose of this chapter ~~is to establish regulations for~~ that, effective October 18, 2023 short-term residential rentals ~~in order to safeguard the peace, safety and general welfare of neighborhoods shall no longer be a permissible use on any property within the City of Corona by minimizing negative secondary effects related to short term residential rentals, including, but not limited to, excessive noise, disorderly conduct, illegal parking, overcrowding and excessive accumulation of refuse; and to ensure that.~~ From and after October 18, 2023, the city is collecting transient occupancy tax pursuant to Chapter 3.34 of this code.

~~(B) — This chapter is not intended to provide any owner of residential property with the right advertisement for, operation, and/or privilege to violate any deed restrictions or private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for establishment of a short-term residential rental purposes as defined in this chapter. Short term residential rentals are not permitted in dwelling units that have deed restrictions for affordable housing purposes or have other city, housing authority or other government imposed conditions of approval or restrictions which prohibit the use of said dwelling unit as a short term residential rental as defined herein.~~ within the City shall be prohibited.

5.55.020 Definitions.

— The following words and phrases, whenever used in this chapter, shall be construed as defined in this section unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(A) ~~"Broker"~~ "Advertisement" means any ~~entity~~ printed or lettered announcement, whether in a magazine, newspaper, handbill, notice, display, billboard, poster, email, internet website application, online marketplace, or any other form.

(B) "Director" means the Planning and Development Director for the City of Corona or his or her designee.

(C) "Hosting platform" means any person, including but not limited to, on-line websites, on-line travel agencies and on-line booking agents that offers, lists, advertises, accepts reservations and/or collects whole or partial payment for a corporation or entity of any kind who participates in the short-term residential rental business by placing, facilitating or hosting advertisements, or collecting or receiving a fee, directly or indirectly through an agent or intermediary, for short-term residential rental units in the City.

(D) "Legal nonconforming short-term residential rental unit" means a short-term residential rental unit that, as of October 18, 2023, has a short-term residential rental unit permit duly issued by the City, pursuant to the Corona Municipal Code sections in effect as of the date issued.

~~(B) "Designated Local Contacts" means at least two persons, one of whom shall be available 24 hours per day, seven days per week for the purpose of responding to the location of the residential unit within 45 minutes to address complaints regarding the condition or operation of the short-term residential rental unit or the conduct of the occupants or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit.~~

~~(C) "Good Neighbor Brochure" means the city's brochure titled "Short-Term Residential Rental Good Neighbor Standards" or a similarly titled brochure made available by the city which briefly describes the city's requirements for the operation, maintenance and use of short-term residential rentals.~~

~~(E)~~ **(E)** "Occupancy" means the use or possession, or the right to the use or possession, of any short-term residential rental for dwelling, lodging or sleeping purposes.

~~(F)~~ **(F)** "Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term residential rental unit.

~~(F) "Owner's authorized agent" means an agent designated by the owner to comply with the requirements of this chapter on behalf of the owner, as provided for in Section 5.55.030 of this chapter.~~

(G) "Short-term residential rental" is defined as the rental or occupancy of any ~~legally permitted~~ dwelling unit, as that term is defined in Chapter 17.04 of this code, or one or more portions of any ~~legally permitted~~ dwelling unit, ~~for occupancy purposes~~ for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying a short-term residential rental shall be deemed to be occupying for a period of 30 days or less until the period of 30 days has expired, unless there is a contract or agreement in writing between the owner and the occupant providing for a longer period of occupancy. **Short-**

term residential rental includes any contract or agreement that initially defined the rental term to be greater than 30 consecutive days and which was subsequently amended, either orally or in writing, to permit the occupant(s) of the owner's short-term residential rental to surrender the subject dwelling unit before the expiration of the initial rental term that results in an actual rental term of 30 consecutive calendar days or less. The rental of rooms or units within city-approved hotels, motels, and bed and breakfasts shall not be considered a short-term rental.

(H) "**Short-term residential rental unit**" is any ~~legally permitted~~ dwelling unit, as that term is defined in Chapter 17.04 of this code, all or any portion of which is made available or used as a short-term residential rental. ~~Each short-term residential rental unit shall have an assigned real property address.~~

5.55.030 Authorized agent.

~~(A) — An owner may in writing authorize an agent to comply with the requirements of this chapter on behalf of the owner. The authorized agent shall submit a copy of the authorization to the city during the initial permit and all renewal permit process(es).~~

~~(B) — Notwithstanding subsection (A) of this section, the owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term residential rental unit, regardless of whether such noncompliance was committed by the owner, the owner's authorized agent, the occupants of the owner's short-term residential rental unit or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit.~~ **rentals prohibited.**

~~5.55.040 Business license required.~~

~~— The owner (A) Rental Prohibited. From and after October 18, 2023, it shall be unlawful for any person or owner's authorized agent is required to obtain a business license pursuant to Chapter 5.02 of this code before renting or advertising the availability of make available for rent or to rent (by way of a rental agreement, lease, license, or any other means, whether oral or written), for compensation or any consideration, a short-term residential rental unit.~~

5.55.050 Permit required.

~~(A) — Before renting or advertising the availability of (B) Advertising Prohibited. From and after October 18, 2023, it shall be unlawful for any person or entity to place or maintain any advertisement for a short-term residential rental unit, the owner or owner's authorized agent is required to obtain prohibited by this chapter.~~

~~(C) Occupancy Prohibited. From and after October 18, 2023, it shall be unlawful for any person or entity to occupy, pursuant to a rental agreement, lease, license, or any other means, whether oral or written, for compensation or any consideration, a short-term residential rental unit.~~

~~(D) Legal Nonconforming Short Term Rentals. From and after October 18, 2023, legal nonconforming short-term residential rental permit from the city pursuant to this chapter. Each short-term residential rental unit must have its own permit.~~

~~(B) — A short-term residential rental permit shall be valid for one calendar year from the date of issuance and must be renewed annually thereafter.~~

~~(C) — Every broker shall ensure that each short-term residential rental unit is registered with the city and that the owner or owner's authorized agent has obtained the requisite short-term residential rental permit and business license prior to listing or advertising said unit for rent.~~

~~(D) — The requirement for a short-term residential rental permit shall be based on the actual duration of the rental period and not the stated time period of the reservation, rental or other contract or agreement.~~

~~**5.55.060 — Obtaining and renewing permit; revocation.**~~

~~(A) — The owner or owner's authorized agent must provide the following information on a short-term residential rental permit application form provided by the Community Development Department:~~

~~(1) — The name, address and telephone number of the owner of the short-term residential rental unit.~~

~~(2) — If applicable, the name, address and telephone number of the authorized agent of the owner of the short-term residential rental unit.~~

~~(3) — The name, address and telephone number of all designated local contacts for each short-term residential unit.~~

~~(4) — The address of the real property at which the proposed short-term residential rental unit is located.~~

~~(5) — The name and contact information for all intended brokers for the short-term residential rental unit, as well as any applicable listing numbers.~~

~~(6) — The number of rooms capable of being rented in the short-term residential rental unit.~~

~~(7) — Acknowledgment of receipt of, and commitment to comply with, the city's good neighbor brochure.~~

~~(8) — Such other information as the community development director, or his/her designee, deems reasonably necessary to administer this chapter.~~

~~(B) — Any fee for a short-term residential rental permit shall be established by resolution of the city council.~~

~~(C) — The community development director, or his/her designee, shall approve or renew a short-term residential rental permit, unless any of the following conditions apply in his/her reasonable discretion:~~

~~(1) — Any false statements or other false information has been provided in the application for the subject permit or any other short-term residential rental permit submitted by the owner and/or the owner's authorized agent.~~

~~(2) — If, within the past 12 months, the owner or the owner's authorized agent has had a prior short-term residential rental permit denied for the same or other short-term residential rental unit.~~

~~(3) — If, within the past 36 months, the owner or the owner's authorized agent has had a prior short-term residential rental permit revoked for the same or other short-term residential rental unit.~~

~~(4) — If, within the past 36 months, the owner or the owner's authorized agent has failed to comply with the business license requirements of Chapter 5.02 of this code for the same or other short-term residential rental unit.~~

~~(5) — If, within the past 36 months, the owner or the owner's authorized agent has failed to comply with the transient occupancy tax requirements of Chapter 3.34 of this code for the same or other short-term residential rental unit.~~

~~(D) — The community development director, or his/her designee, shall have the authority to revoke a short-term residential rental permit if any of the following conditions apply in his/her reasonable discretion:~~

~~(1) — Any of the conditions provided for in § 5.55.060(C) of this code.~~

~~(2) — A violation of any of the conditions included in the short-term residential rental permit.~~

~~(3) — A violation of any of the operational requirements provided for in § 5.55.070 of this code.~~

~~(E) — Any decision of the community development director, or his/her designee, regarding the denial or revocation of a short-term residential rental permit may be appealed pursuant to Chapter 1.09 of this code.~~

5.55.070 — Operational requirements.

~~————The following requirements shall be applicable to each short-term residential rental unit and shall be provided for in the short-term residential rental permit:~~

~~(A)——The owner and, if applicable, the owner's authorized agent shall ensure that the provisions of Chapter 3.34 of this code regarding the collection and remittance of transient occupancy taxes are complied with for the short-term residential rental unit. A broker that collects any revenue from arranging or listing a short-term rental unit shall have primary responsibility for collecting, paying and transmitting all revenues due to the city pursuant to Chapter 3.34 of this code.~~

~~(B)——The owner and, if applicable, the owner's authorized agent shall use all reasonably prudent business practices to ensure that the short-term residential rental unit is used in a manner that complies with all applicable federal, state and local laws, rules and regulations pertaining to the use and occupancy of the subject short-term residential rental unit, including, without limitation, all noise or other nuisance avoidance standards.~~

~~(C)——The owner and, if applicable, the owner's authorized agent shall use all reasonably prudent business practices to ensure that the short-term residential rental unit is operated, maintained and used in a manner that complies with the city's good neighbor brochure.~~

~~(D)——While a short-term residential rental unit is rented, at least one designated local contact person shall be available 24 hours per day, seven days per week. The owner and, if applicable, the owner's authorized agent shall be responsible for making sure that at least one designated local contact is available at all times and that any person who attempts to contact the designated local contacts can easily determine which designated local contact(s) are available at that time.~~

~~(E)——The owner and, if applicable, the owner's authorized agent shall post the name and telephone number of the designated local contact who is on-call that day on the exterior of the unit within plain and conspicuous view for the general public. The name and telephone number shall be typewritten in a bold and clearly readable type font which is either at least a 14 point font or at least one-quarter inch in height.~~

~~(F)——Upon oral or written notification of a violation, the owner and, if applicable, the owner's authorized agent shall ensure that a designated local contact or other authorized person responds in a timely and appropriate manner to immediately address the situation and prevent a recurrence. Failure of the owner and, if applicable, the owner's authorized agent to respond to such notifications in a timely and appropriate manner shall subject the owner to all administrative, legal and equitable remedies available to the city. For purposes of this section, a violation shall mean any condition or operation of the short-term residential rental unit or the conduct of the occupants or the invited or uninvited guests of the owner, the owner's authorized agent or the occupants of the owner's short-term residential rental unit which allegedly is causing a violation of applicable federal, state or local laws, rules and regulations pertaining to the use or occupancy of the subject~~

~~short term residential rental unit, including, without limitation, any noise or other nuisance avoidance standard.~~

~~(G) — In units may continue to operate, in strict accordance with the provisions of Chapter 9.29 of this code, the owner, the owner's agent, the renter or any other person responsible for an event held at the short term residential rental unit may be issued an administrative fine for any subsequent police response to such event.~~

~~(H) — Occupants of the short term residential rental unit shall not generate loud and unnecessary noises inconsistent with Chapter 9.24 of this code.~~

~~(I) — The owner and, if applicable, the owner's authorized agent shall use reasonably prudent business practices to ensure that the short term residential rental unit is used for residential purposes City's uncodified Ordinance No. 3383 adopted by the City Council on October 18, 2023 and incorporated herein by this reference, but only.~~

~~(J) — Prior to occupancy of a short term residential rental unit, the owner and, if applicable, the owner's authorized agent shall:~~

~~(1) — Obtain the name, address and telephone number of the renter.~~

~~(2) — Provide a copy of the city's good neighbor brochure to the renter. In addition, require the renter to execute a formal acknowledgment that he or she has received the good neighbor brochure and that he or she will be responsible for compliance with the good neighbor brochure by the renter, all occupants and all invited or uninvited guests of the renter and occupants.~~

~~(3) — Require the renter to execute a formal acknowledgment that he or she is legally responsible for compliance with all applicable federal, state and local laws, rules and regulations pertaining to the use and occupancy of the short term residential rental unit, including, without limitation, all noise or other nuisance avoidance standards by the renter, all occupants and all invited or uninvited guests of the renter and occupants.~~

~~(4) — The information required in subsections (J)(1) through (J)(3) above shall be maintained by the owner and, if applicable, the owner's authorized agent for a period of three years following the end of the rental period. Written copies of the information shall be made available upon request to any city representative for the enforcement of any provision of the municipal code or any other applicable law, rule or regulation pertaining to the use and occupancy of the short term residential rental unit.~~

~~(K) — Trash and refuse shall not be left stored within public view, except in proper containers as required by this code for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days.~~

~~(L) — On site parking shall be allowed on approved driveway, garage, and/or carport areas only. Parking of over-sized vehicles must comply with the provisions of § 10.20.250 of this code.~~

~~(M) — The number of occupants allowed to occupy any given short-term residential rental unit shall be limited to two people per bedroom plus one person per unit.~~

~~(N) — The community development director, or his/her designee, shall have the authority to impose additional conditions on the use of any given short-term residential rental unit to ensure that any potential secondary effects unique to the subject short-term residential rental unit are avoided or adequately mitigated.~~

~~(O) — The owner or, if applicable, the owner's authorized agent shall post the until the expiration of the current short-term residential rental permit number for a short-term residential unit on or in any advertisement appearing in any written publication or on any website that promotes the availability or existence of the short-term residential rental unit permit issued for that unit.~~

5.55.080040 Hosting platforms.

(A) Booking Prohibited. Hosting platforms shall not complete any booking transaction for short-term residential rentals in the City.

(B) Notice to City. No later than 30 days after any person seeks to use a hosting platform to list a short-term residential rental in the City, the hosting platform shall provide, in writing, to the Director the names of and contact information for any person responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price quoted for each such stay.

(C) Compensation Prohibited. Hosting platforms shall not collect or receive any compensation, whether monetary or non-monetary, either directly or indirectly through an agent or intermediary, for facilitating or providing for the renting of a short-term residential rental unit in the City, including, but not limited to, any ancillary service related thereto, such as insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the property or unit.

(D) Severability. 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).

5.55.050 Penalties and enforcement.

(A) Any person violating any of the provisions of this chapter, or uncodified Ordinance No. 3383 adopted by the City Council on October 18, 2023, shall be deemed guilty of an infraction, and shall be subject to all applicable penalties or punishments available to the city, including, without limitation, those provided for in Chapter 1.08 of this code and, to the extent applicable, uncodified Ordinance No. 3383.

~~(B) In addition to any other penalties available to the city, the community development director, or his/her designee, may, in lieu of revoking a permit pursuant to § 5.55.060 of this code, impose additional permit conditions on the use of any short term residential rental unit pursuant to § 5.55.070(M) of this code. Any decision of the community development director, or his/her designee, pursuant to this provision may be appealed pursuant to Chapter 1.09 of this code.~~

~~(B)~~ Except as otherwise provided, enforcement of this chapter and uncodified Ordinance No. 3383, is at the sole discretion of the persons authorized to enforce this chapter: and or uncodified Ordinance No. 3383. Nothing in this chapter or uncodified Ordinance No. 3383 shall create a right of action in any person against the city or its agents for damages or to compel public enforcement of this chapter or uncodified Ordinance No. 3383 against private parties.

~~(C)~~ In addition to any other penalties available to the city, in accordance with the provisions of Chapter 9.29 of this ~~edöecode~~, the owner, the owner's agent, the renter or any other person responsible for an event at a short-term residential rental unit, or at a legal nonconforming

short-term residential rental unit, may be issued an administrative fine for a subsequent police response to such event.

5.55.090 Interpretation.

~~———— This chapter shall be construed liberally in favor of regulation, as determined if necessary and appropriate by the community development director, or his/her designee, for the public protection and welfare and in order to accomplish its purpose and intent.~~