

ORDINANCE NO. 233

AN ORDINANCE AMENDING ORDINANCE NO. 110  
(RENTAL HOUSING CODE)

Part I: FINDINGS:

WHEREAS, the City Council of the City of University Heights, Iowa, has attempted to identify and implement strategies to address the tensions that exist when long-term residents co-exist with short-term rental populations; and

WHEREAS, a review of literature, including that produced by Host Compliance, L.L.C. (a privately held company providing short-term rental compliance monitoring and enforcement solutions to local governments), identifies the following reasons to manage the rapid growth of home-sharing and short-term rental properties:

1. Increased tourist traffic from short-term renters has the potential to slowly transform peaceful residential communities into "communities of transients" where people are less interested in investing in one another's lives, be it in the form of informal friend groups or church, school and other community-based organizations; and
2. Short-term renters may not always know (or follow) local ordinances, resulting in public safety risks, noise issues, trash and parking problems for nearby residents; and
3. So-called "party houses," i.e., homes that are continuously rented to larger groups of people with the intent to party, can severely impact neighbors and drive down nearby home values; and
4. Conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters in the community; and
5. Cities often lose out on tax revenue (including hotel and motel tax) as short-term landlords may fail to remit those taxes even if required by law; and

6. Lack of proper regulation or limited enforcement of existing ordinances may cause tension or hostility between short-term landlords and their neighbors; and
7. The existence of "pseudo-hotels" in residential neighborhoods (often in violation of local zoning ordinances) may lead to disillusionment with local government officials who may be perceived as ineffective in protecting the interests of local tax-paying citizens; and

WHEREAS, to address property owners and tenants who fail to abide by provisions of local, state, and federal law that impact the safety, peacefulness, public order, and stability of the city, a ban on certain short-term rentals should be adopted; and

WHEREAS, it is in the City's best interest and a reasonable exercise of its police power to protect the health, safety, morals, general welfare, and overall well-being of its residents to adopt this ordinance; and

WHEREAS, the City Council of the City of University Heights, Iowa, desires to take measures to improve the community and promote peaceful habitation in residential areas of the City,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, IOWA, AS FOLLOWS:

Part II: AMENDMENTS:

University Heights Ordinance No. 110 is amended as follows (with additions indicated by underline; deletions indicated by ~~strike-through~~; omissions by "\*\*\*\*"):

110.02 DEFINITIONS. For the purpose of this code only, certain words and/or terms used herein shall be defined as follows:

\*\*\*\*

8. "Guest" means any person who ~~shares~~ lives in or stays at a dwelling in on a non-permanent status basis for not more than fifteen (15) thirty (30) days so long as: (1) no rent, monetary charge, or other consideration is paid or services are rendered or exchanged by or on behalf of the guest for the dwelling; and (2) at least one owner

is present and living in the dwelling during the time the guest is there.

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23. "Rent" or "Let" means providing a dwelling, dwelling unit, or habitable room to someone other than the owner or a guest, regardless of whether rent or other consideration is paid or services rendered or exchanged.

\*\*\*\*

110.04 RENTAL PROPERTY RESTRICTED. No owner or any other person or entity shall rent or let to another person any dwelling unless it and the premises are clean, sanitary and fit for human occupancy as required by this code and applicable State statutes and City ordinances, and unless a certificate of structure compliance and a current rental permit have been issued by the City for the dwelling. Dwellings may not be rented for a term of less than 30 consecutive days.

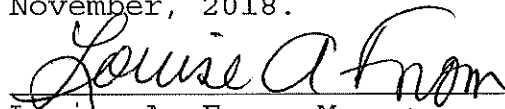
**PART III: SAVING CLAUSE:**

If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**PART IV: EFFECTIVE DATE:**

This Ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council this 12<sup>th</sup> day of November, 2018, and approved this 12<sup>th</sup> day of November, 2018.

  
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Louise A. From, Mayor

(SEAL)

ATTEST:



STATE OF IOWA            )  
                                  )     SS:  
COUNTY OF JOHNSON    )

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 20<sup>th</sup> day of December, 2018.

Christine M. Anderson  
Christine M. Anderson, City Clerk

Signed and sworn to before me on the 8<sup>th</sup> day of January, 2018 by Christine M. Anderson, Clerk of the City of University Heights.



[Handwritten Signature]  
Notary Public, State of Iowa