



Short-Term Rental Operator Permit Information

In May of 2016, the City adopted Ordinance 581, Kellogg Short-Term Rental Ordinance. This information is a layman's view of the process. Should you wish to explore the ordinance in detail, it can be found in the Kellogg Municipal Code at City Hall or on the City website (Kellogg.id.gov).

All persons wishing to provide short-term rentals (vacation homes or condominiums) will need to obtain a Short-Term Rental Permit from the City. In addition, you will also need to obtain a Municipal Non-Property Tax Permit from the City. Both of these permits are necessary for operation.

- The Short-Term Rental Permit allows you to operate your short-term rental in compliance with Kellogg City Code. This permit is issued and administered by Kellogg building and planning department. There is a \$250 application fee for this permit and a \$25.00 annual renewal due on or before October 1st. (resolution 2015-13)
- The Municipal Non-Property Tax Permit provides an identification number and authorizes you to collect the 3.5% tax for all short-term rentals. The City will provide you with the tools to assist in the collection. This permit is issued and administered by the Kellogg City Clerk's office. There is no fee for this permit.

Application:

An owner/operator of a short-term rental property must submit the following information on a Short-Term Rental Operator Permit Application provided by the City:

- The name, address, phone number, etc. of the operator of the proposed rental unit(s). Please provide an emergency contact for the operator.
- The address of each short-term rental, rental phone number, number of bedrooms, number of parking spaces, and the parking location. It is important that you have adequate parking **on site**. Provide information on where the parking is located: garage, driveway, designated spaces in parking lot, etc. You must be able to accommodate your guests on your property. While parking may be permitted on city streets, it is important that impact to the neighborhood is minimized. If you are operating multiple units, please provide the information for each unit.
- You are required to have an emergency contact to respond to questions or complaints 24/7/365. They must be able to respond within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of short-term rentals or their guests. You may supply one emergency contact person for multiple units if you wish.
- Sign and date the application, this is also an acknowledgement of your responsibility to **provide the guests with a copy of the Good Neighbor Policy and Regulations**.
- Pay the required application fee.

You will also need to complete an application for a Kellogg Municipal Non-Property Tax Permit. This application will require similar information along with some additional information regarding individual properties. It will also require information regarding tax reporting.

Process:

Once your applications have been completed, the Building Official shall verify the sit address is visible, that adequate parking is available, and that the residential character of the outside appearance is acceptable. You are permitted one sign of no more than four (4) square feet. The Building Official will note the date of verification and initial the application.

The total number of units will be entered on the application. This will provide an accurate number of rentals attached to a permit. One permit may cover many units. Often it is just one unit operated by the owner.

If all is in order the date processed will be entered and a permit number will be issued. Once the Short-Term Rental Permit has been issued the office of the City Clerk will provide you with information on the Municipal Non-Property Tax Permit and an application for the permit.

Operational Requirements and Standard Conditions: These are copied from the Kellogg Short-Term Rental Ordinance:

- A. Business Practices: the Operator shall use reasonably prudent business practices to ensure that the Tourist Home is used in a manner that complies with all Applicable Laws, Rules and Regulations.
- B. Maximum Number of Occupants: the maximum number of overnight guests occupying a Tourist Home shall not exceed two (2) persons per bedroom. Additional daytime guests are allowed between the hours of 7:00 am and 10:00 pm, with the maximum daytime guests not to exceed four (4) persons per bedroom with a maximum of twenty (20).
- C. Appearance, Visibility or Location: the residential character of the outside appearance of the Tourist Home shall not be altered, either by the use of colors, materials, lighting, or any advertising mechanism, other than one sign, not to exceed four (4) square feet. The Tourist Home's address must be visible from the street.
- D. On-Site Parking Required: all parking associated with a short-term vacation rental shall be entirely on-site, in the garage, carport, and driveway or otherwise off of the public street. There shall be parking maintained on-site adequate for at least one (1) parking space per bedroom, up to a maximum of three (3).
- E. Noise: occupants of the Tourist Home shall comply with the standards and regulations of the Kellogg Municipal Code, Title 11, Chapter 6.
- F. Renter Notification: the Operator shall provide each occupant of the Tourist Home with the following information prior to occupancy of the unit and/or shall post such information in a prominent location within the unit:
 - a. A copy of the Municipal Non-Property Tax Permit
 - b. The name and phone number of the Operator and the Local Contact Person
 - c. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted pursuant to the chapter

- d. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property. All short-term rentals shall maintain an active refuse collection subscription with the City of Kellogg.
 - e. A copy of the Good Neighbor Policy and Regulations
 - f. Parking locations and requirements
- G. On or near the front door of each unit the operator shall display the following:
- a. The address of the Tourist Home
 - b. The non-emergency phone number of Shoshone County Fire Protection District #2- (208) 784-1188
 - c. The non-emergency phone number for Kellogg Police Department- (208) 784-1131
 - d. The non-emergency phone number for Shoshone County Sheriff's Office- (208) 556-1114 option 1
 - e. The phone number for the local hospital: Shoshone Medical Center- (208) 784-1221
- H. While a Tourist Home is rented, the local contact person shall be available at all times for the purpose of responding within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the Tourist Home or their guests.
- I. The Operator and the local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the Tourist Home do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule, or regulation pertaining to the use of occupancy of the subject Tourist Home.
- J. Prior to occupancy of a Tourist Home, the Operator shall: (1) obtain the name, address, and a copy of a valid government identification of the Responsible Person; (2) provide a copy of the Good Neighbor Policy and Regulations to the Responsible Person; and (3) require such Responsible Person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the Tourist Home and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the Tourist Home. This information shall be maintained by the Operator for a period of four (4) years and be made readily available upon request of any officer of the City responsible for the enforcement or any provisions of the Kellogg Municipal Code or any other applicable law, rule, or regulation pertaining to the use and occupancy of the Tourist Home.
- K. The Operator and/or the designated local contact person shall, upon notification that the Responsible Person and/or any occupant and/or guest of the Tourist Home has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any Applicable Law, Rule, or Regulation pertaining to the use and occupancy of the subject short-term rental unit, promptly respond within thirty (30) minutes and in an appropriate manner to immediately halt or prevent a recurrence of such conduct by the Responsible Person and/or any occupants and/or guests. Failure of the local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental within thirty (30) minutes and in an appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.
- L. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. All short-term rentals shall maintain an active refuse collection subscription with the City of Kellogg.
- M. The Operator shall post the current Municipal Non-Property Tax Permit number on or in any advertisement appearing in any newspaper, magazine, brochure, television trade paper, internet

website, etc., that promotes the availability or existence of a Tourist Home in a place or location deemed acceptable by the Building Official or designee. In the instance of audio-only advertising of the same, the Municipal Non-Property Tax Permit number shall be read as part of the advertising.

- N. Unless otherwise provided in this chapter, the Operator shall comply with all provisions of Title 1 Chapter 17 of the Kellogg Municipal Code concerning municipal non-property taxes, including, but not limited to, submission of the monthly municipal non-property tax return in accordance with Title 1-17-8 of the Kellogg Municipal Code, which shall be filed monthly even if the Tourist Home was not rented during such month.
- O. The standard conditions set fourth herein may be modified by the Building Official, or designee, upon request of the Operator 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 for a Tourist Home 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.