

RESOLUTION NO. 2020-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, ESTABLISHING RESIDENT COMPLAINT PROTOCOLS REGARDING SHORT TERM VACATION RENTAL UNITS

WHEREAS, Chapter 5.96 of Title 5 of the Cathedral City Municipal Code establishes Short Term Vacation Rental (STVR) regulations;

WHEREAS, the City Council desires to adopt this Resolution establishing a resident complaint protocol in conjunction with the regulations established in the Cathedral City Municipal Code pursuant to Section 5.96.050(W).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. RESIDENT COMPLAINT PROTOCOL

The City Council hereby adopts and establishes the following Resident Complaint Protocol:

In order to report an active complaint about a Short-Term Vacation Rental/Home Share within the City of Cathedral City ("City"), residents will be advised to call the Short-Term Vacation Rental (STVR) Hotline. If the Hotline is not functioning for any reason residents should call the Police non-emergency number. If it is an emergency 911 should be called.

When a call is received, the Hotline Operator will ask, but shall not require, the reporting party to provide their name and contact information. If the STVR is adjacent to the reporting party's property, if needed, a City employee or agent may request to enter the reporting party's property to verify the complaint. All calls, investigations and actions taken will be documented. The reporting party can provide statements and evidence, including photos or recordings, to City employees or agents investigating the complaint.

If requested and when permitted under the law, a City employee or agent will provide the reporting party the results of the investigation and any action taken.

When a call is received the City employee or agent will respond and investigate the complaint.

A. If a violation of the City's Municipal Code is determined to exist by the City employee or agent, the following protocols will be followed to the extent practicable under the circumstances:

1. The appropriate administrative citation will be issued;
2. The local contact person, as defined in City's Municipal Code Chapter 5.96, will receive a phone call from the City employee or agent;
3. The local contact person has thirty (30) minutes to respond in person to the STVR property to correct the nuisance and/or violation, per the determination made by the City employee or agent; and
4. If the local contact person fails to correct the nuisance/violation within the allotted 30 minutes, and/or if the City is unable to correct the nuisance/violation, the City will notify the property owner. The property owner shall be subject to all remedies

available pursuant to state law and the City Municipal Code for any violations established.

If the violations are not resolved timely as provided above, continuing violations at the same STVR property for the same occupant rental will result in separate and additional administrative citations and/or other enforcement actions.

- B. If a violation of is not established, the City employee or agent will inform the owner of the property within two (2) business days that a complaint was made, but no citation was issued.

SECTION 2. EFFECTIVE DATE


This Resolution shall take effect on October 9, 2020.

SECTION 3. CERTIFICATION

The City Clerk shall attest to and certify the vote adopting this Resolution.

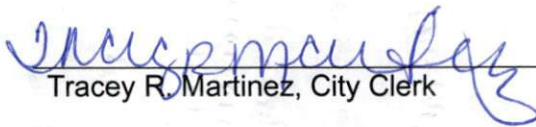
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Cathedral City held on this 9th day of September, 2020, by the following vote:

- Ayes: Councilmembers Lamb, Gutierrez and Carnevale; Mayor Pro Tem Gregory and Mayor Aguilar
- Noes: None
- Absent: None
- Abstain: None



John Aguilar, Mayor

ATTEST:



Tracey R. Martinez, City Clerk

APPROVED AS TO FORM:



Eric S. Vail, City Attorney