



# Rockaway Beach Short Term Rental F.A.Q.

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City of Rockaway Beach, PO Box 5, Rockaway OR 97136

Additional information can be found on the City Website [www.Corb.us](http://www.Corb.us)

## **Who is eligible to apply for a Short-term rental License?**

A property owner who holds title or a recorded land sale contract to a property for a short-term rental license. A license application shall not be accepted or processed until fines related to any violation of the City Code related to the subject property are paid in full. A license application shall not be accepted or processed until all corrective actions related to any violation of the City Code related to the subject property are completed to the City's satisfaction. No person shall occupy, use, operate or manage, or offer or negotiate to use, lease, or rent a dwelling unit for short-term rental unless issued a short-term rental license by the City.

## **Can my property management company apply for me?**

No, we require the legal property owner to submit the application and pay. We have sent all current Short Term Rental license information to the legal address listed per Tillamook County Property Records. The county maintains all property ownership information, should you need to update your address, contact the Tillamook County Tax Office. Applications showing different address will not be accepted.

## **Do I have to fill in a new application, if I already have a license for 2022?**

Yes, ALL short-term rentals must fill in and complete a new application with all required information.

## **What is the new application process?**

If you have a current short term rental license (2022 – 2023) on file, you can submit the completed application and required attachments via email. Any **NEW OR RENWEAL** applications must be mailed or dropped off to the city with full payment. Incomplete application packets shall not be accepted or processed. Failure of the owner to supply complete information for the short-term rental application process within 30 days of the initial application submission shall result in the expiration of the application. Applicants can request in writing for a one time only 30-day extension after receiving communication of an incomplete application.

## **What if I have a more than one dwelling unit on my property, does each unit need a separate license?**

Yes, each dwelling unit must have a separate license, more than one license may be issued for dwelling units on a single property. Example: A duplex must have two licenses; one for each dwelling. If you rent them separately, they will each need their own license.

## **What happens if I am renting but I don't have a City Short Term License?**

The City of Rockaway Beach has taken steps to enhance its TRT program, including tax enforcement. The City of Rockaway Beach has entered into an agreement with the State of Oregon through its Department of Revenue for the supervision and administration of local transient lodging taxation as authorized under ORS 320.365.

The Department shall be responsible for all aspects of Local Tax administration, including, but not limited to, adopting administrative rules; auditing returns; assessing deficiencies and collecting the Local Tax and penalties and interest under applicable statutes, including but not limited to ORS 305.265, ORS 305.220, and ORS 314.400; making refunds; holding conferences with Local Taxpayers; handling appeals to the Oregon Tax Court; issuing warrants for the collection of unpaid taxes; determining the minimum amount of Local Tax economically collectible; and taking any other action necessary to administer and collect the Local Taxes.

The City of Rockaway Beach strongly encourages all rental owners to ensure that their rental(s) are properly licensed and operating in compliance with applicable City Code and State Statutes.

**Can I transfer the license if the property sells?** No, the license is issued to the owner and does not transfer with the sale or conveyance of the property. All short-term rental license holders must report to the city any change of ownership of their short-term rental before the transfer of ownership.

**What about License Renewals?** All short-term rentals must apply annually for the period of one year from July 1 of the current year to June 30 of the following year. Renewals will be issued if all requirements continue to be met and a renewal application is submitted. If the owner is out of compliance with City Code regulations or requirements related to the licensed property, the City will not renew the license and the property shall no longer be used as a short-term rental. A license shall not be renewed if fines related to the licensed property are outstanding. A license shall not be renewed until all corrective actions related to any violation of the City Code related to the licensed property are completed to the City's satisfaction.

**How much is the annual license fee?** An annual license fee of \$250 is due prior to issuance of a short-term rental license or renewal and is good from July 1<sup>st</sup> of the current year to June 30<sup>th</sup> of the following year, this is a **nonrefundable** fee nor subject to proration.

**Where and How to Pay Transient Room Tax to the Department of Revenue?** All City of Rockaway Beach transient room lodging taxes are collected by the Oregon Department of Revenue. You can find more information at the Oregon.Gov website under Transient Lodging Tax Program.

**Are there any zoning restrictions in Rockway for a Short-term rental?** A permitted dwelling within the City Limits can apply for a short-term rental if it meets the application criteria.

**Can I get a short-term rental license if my dwelling is in the Urban Growth Boundary?** That is managed by Tillamook County Community Development, you will need to contact them.

**How do I find out if I am in the City Limits or Urban Growth Boundary?** Call or email us with your address to correctly identify.

**What are the new standards my rental will need to meet?**

**(A) House Number.** Each rental unit must have either a house number or address identifier visible from the street.

**(B) On-line Database.** The owner or local agent shall provide and maintain with the city either an email address or a contact telephone number for the owner or local agent. The city shall make this information publicly available through an on-line database. The contact information of all owners and local agents shall be kept current with the City.

**(C) Identification Sign.** The owner or local agent shall provide and maintain a sign which lists the short-term rental license number, email address and a contact telephone number for the owner or local agent. Such signage shall be visible from the street, legible from 10 feet away and shall be no smaller than 93.5 square inches nor larger than 154 square inches. The contact information of all owners and local agents shall be kept current with the City. If the rental unit is within a condominium, the Identification Sign shall be placed on the main entrance door of the unit and be visible to other building occupants.

**(D) Parking.** Each dwelling unit must provide the minimum off-street parking spaces shown in the chart below. Parking spaces shall measure no smaller than 9' x 18' each. Such spaces shall not be blocked and made available to people at all times. Location and design of parking spaces shall comply with all applicable City standards. Spaces in a garage may count but must be available for the renter to park in at all times. Trailers for boats and all-terrain vehicles may be allowed but must fit within an off-street parking space allocated to the rental unit used by the owner of the trailer. Renters shall not block nearby driveways or designated fire lanes. A parking plan map and notice, identifying the number and location of parking spaces, shall be posted in a conspicuous place within each short-term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle or block neighboring driveways and that renters may be cited and fined if this requirement is not

satisfied. A diagram of the parking plan and map is required as a part of the application. The maximum number of parking spaces available shall be conveyed to each renter before the visit.

Date constructed or legally converted	Number of spaces required
Prior to 7/30/1974	No off-street parking requirements
7/30/1974 – 3/24/1980	One off-Street per dwelling unit
On and after 3/25/1980	Two off-Street per dwelling unit

The parking plan map can be a street image showing where parking, with the total amount of cars allowed. We will also accept a hand drawn map, google map or other item as long as it clearly visually identifies the off-street parking for renters.

**(E) Garbage.** During periods of rental occupancy, owner shall provide adequate covered and secured garbage containers in conformance with all related guidelines established by the City. Cans must be secured to prevent animals from knocking them over or getting into them. All garbage must fit within the can and not overflow. Owner shall provide the City with evidence the dwelling unit receives garbage service. Garbage shall be removed a minimum of once per week. The owner or local agent shall notify renters that all garbage must be kept in the secured containers provided for that purpose. No garbage or rubbish may be permitted to leak from containers or vehicles or be strewn upon or scattered over the streets, sidewalks, or other public ways of the city.

**(F) Noise.** Renters shall not create or cause noise that is offensive to a person of ordinary sensibilities located on the property line of the licensed property between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends.

**(G) RVs and Other Temporary Shelters.** No recreational vehicle is permitted to be used as a short-term rental unless the recreational vehicle or temporary shelter has been properly permitted as a dwelling unit in the RMD zone. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited or used in conjunction with a short-term rental.

**(H) Owner and Local Agent Responsibilities.** The owner or local agent shall be able to respond via phone within 30-minutes to complaints and other issues and be able to access the short-term rental. Once a complaint or issue is reported by phone or email, the owner or local agent shall immediately make direct contact with the renter or appropriate entity by phone to resolve the reported problem. If the problem cannot be resolved or an immediate resolution is not achieved by phone, the owner or local agent shall make an in-person visit to the short-term rental to rectify the situation within 30-minutes. The owner or local agent shall maintain a telephone number listed within the rental unit and at the City by which to be reached 24 hours a day, 7 days a week, year-round.

**(I) Proof of Liability Insurance Coverage.** Owner shall provide the City with proof of liability insurance covering the licensed property. The liability insurance coverage shall remain active and in effect during the entire time that the property is licensed as a short-term rental.

**(J) Emergency Information.** The Owner shall post in the dwelling unit information to assist renters in dealing with natural disasters, power outages and other emergencies. The City shall provide a list to be provided in each dwelling unit. See the City website for the list.

**What could happen if my rental is in noncompliance with these new rules?**

The City of Rockaway Beach will work with rental owners, or their agents should compliance issues arise. Resolving compliance issues quickly is our goal. However, there may be occasions where other means become necessary. It is a violation for any person so required to fail or refuse to apply for a license or operate without a license. Any person who violates any provisions of Chapter 113: Short-Term Rentals, is subject to a civil penalty of up to five hundred dollars (\$500) per violation, with each day of a continuing violation constituting a separate violation. The third violation within any consecutive twelve (12) month period shall result in revocation of the short-term rental license for twelve (12) months, after which time the owner may reapply for a new license