

ORDINANCE NO. 6375

AN ORDINANCE AMENDING ORDINANCE NO. 6353 REGARDING BUSINESS LICENSES FOR SHORT-TERM RENTALS WITHIN THE CITY OF HOT SPRINGS, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, A.C.A. § 26-77-102 authorizes the Hot Springs Board of Directors to require any person, firm, individual, or corporation that shall engage in, carry on, or follow any trade, business, profession, vocation, or calling, within the corporate limits of the city, to pay a license fee or tax for the privilege of doing business or carrying on any trade, profession, vocation, or calling in the city where the trade, business, profession, vocation, or calling is situated, to take out and procure a license therefor and pay into the city treasury before receiving it such a sum or amount of money as may be specified by the ordinance for the license and privilege; and

WHEREAS, the City of Hot Springs, by and through the Board of Directors, enacted Ordinance No. 6353 pursuant to A.C.A. § 26-77-102; and

WHEREAS, there has been a proliferation of renting, leasing, or otherwise furnishing of houses, cabins, condominiums, and other similar rental accommodations within the City of Hot Springs for periods of less than thirty (30) days (hereinafter referred to from time to time as "short-term residential rental business"); and

WHEREAS, the lack of regulations associated with short-term residential rentals results in the potential for health, safety, and welfare concerns for those occupying same, along with the potential for parking and traffic congestion, disproportionate solid waste accumulation for once-a-week residential services, and perceived nuisance to adjacent full-time residents; and

WHEREAS, there is a need to amend Ordinance No. 6353 to include a specific category of a business license for short-term residential rental business; and

WHEREAS, there is further need to consider the impact of short-term residential rental businesses, if any, to the health, safety, and welfare of the occupants thereof, and the inhabitants and visitors of the City of Hot Springs and its environs.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF HOT SPRINGS, ARKANSAS, THAT:

SECTION 1: Exhibit A adopted in Section 1 of Ordinance No. 6353, is hereby amended to include the following:

- (a) "Short-Term Residential Rental Business" shall be defined as the renting, leasing, or otherwise furnishing of a house, cabin, condominium, apartment, and/or other similar rental accommodations within the City of Hot Springs for periods of less than thirty (30) days.
- (b) It shall be illegal to operate any type of short-term residential rental business in the City of Hot Springs without a business license. Owners of a short-term residential rental property shall obtain a business license from the city for each and every separate house, cabin, condominium, apartment, and/or other similar rental accommodations (hereinafter referred

to from time to time as "property" or "properties"). The application for such a short-term residential rental business license shall contain, but not be limited to, the following:

- (1) The name, address, and phone number of the owner of the property or properties to be licensed.
- (2) A list of all short-term residential rental addresses of any kind owned by said owner in the City of Hot Springs.
- (3) If the owner is not a resident of Garland County, Arkansas, the application must include the name, address, and phone number of a local contact person responsible for the property, and who may serve as a local agent for service of any lawsuits, citations, warnings, or other correspondence regarding the property.

SECTION 2: The initial application fee and subsequent annual business and occupation tax, per short-term residential rental business address, shall be \$50.00 per bed within any such property or properties to be licensed.

SECTION 3: A copy of the current business license must be posted on all advertising of any such house, cabin, condominium, apartment, and/or other similar rental accommodations.

SECTION 4: Beginning at 5:00 p.m. on May 30, 2021, and continuing until 5:00 p.m. on October 13, 2021, there shall be an abeyance of the issuance of any Business License for a Short-Term Residential Rental Business, as contemplated by A.C.A. § 26-77-102, and Ordinance No. 6353, as amended hereby.

SECTION 5: This Ordinance shall be codified in the Code of Ordinances, and the sections may be re-numbered or re-lettered to accomplish such intention.

SECTION 6: All other ordinances, resolutions, or parts of same that are inconsistent with the provisions of this Ordinance are also hereby amended to the extent of such inconsistency.

SECTION 7: Emergency Clause. The adoption of this Ordinance is essential to the public health, safety, and welfare of the inhabitants and visitors of the City of Hot Springs. An emergency is therefore declared to exist, and this Ordinance shall be in full force and effect from and after the time of its passage.

PASSED: March 2, 2021



PAT MCCABE, MAYOR

ATTEST: Harmony Hurst Morrissey
HARMONY HURST MORRISSEY, CITY CLERK

APPROVED AS TO FORM: BJA
BRIAN W. ALBRIGHT, CITY ATTORNEY