



**CITY OF SCOTTSDALE  
SHORT TERM RENTAL WORKING GROUP  
MEETING SUMMARY  
Wednesday, April 21, 2021  
Meeting Held Electronically**

**MEMBERS**

**PRESENT:** Ronan Aviram, Kathe Barnes, Bobby Brush, Rebecca Grossman, Karl Isenburg, Joe Iturri, Vice-Mayor Betty Janik, Ian Jeffrey, Melissa Kovacs, Dave Mason, Councilmember Linda Milhaven, Scott Bowers (via phone)

**STAFF:** Brent Stockwell, Staff Facilitator and Assistant City Manager; Eric Allen, Raun Keagy – Code Enforcement; Kelli Kuester, Brad Lundahl, Shane Stone – City Manager’s Office; Whitney Pitt – City Treasurer’s Office; Luis Santaella –City Attorney’s Office; Rich Slavin –Police; Rachel Smetana –Mayor’s Office

This is a meeting summary. To hear the entire conversation:

<https://www.youtube.com/watch?v=BVeMx344o-g>

**WELCOME AND LOGISTICS**

Meeting opened with housekeeping items and a reminder that the City of Scottsdale adheres to the principles of civil dialogue which states:

**As a member of the Scottsdale Community, I will genuinely listen, speak respectfully, and be accountable for my words and actions.**

Brent Stockwell, Assistant City Manager, explained that the group has a unique webpage which includes the mission, meeting schedule, members, agendas, minutes and workplan:

<https://www.scottsdaleaz.gov/codes/vacation-short-term-rentals/short-term-rental-working-group>

**INTRODUCTIONS**

Each member and support staff introduced themselves and briefly commented on their connection to short term rentals (STR’s). A brief biographical statement for each member is included on the website.

**CURRENT REGULATORY FRAMEWORK – STATE OF ARIZONA**

Brad Lundahl, Government Relations Director, provided an overview and history of SB1350 which passed in 2016 and limited municipal oversight capabilities of short-term rentals.

Full Presentation: <https://www.scottsdaleaz.gov/assets/asset85057.aspx>

Q: Does SB1350 apply the landlord tenant act?

A: Landlord Tenant Act still applies to short term rentals. The law was clear that long term and short-term rentals must be treated the same.

Q: Can we get properties not registered or paying Transaction Privilege Tax in the system?

A: Some online platforms are collecting on behalf of their users but not all platforms. Also, STR could be unregistered and still paying applicable tax.

## **CURRENT REGULATORY FRAMEWORK – CURRENT CONDITIONS**

Raun Keagy, Code Enforcement Director, provided a presentation on enforcement and local regulations for short term rentals which, by state law, are permitted in every residential zoning district.

Full Presentation: <https://www.scottsdaleaz.gov/assets/asset85061.aspx>

Q: What defines excessive disturbance?

A: Excessive noise, traffic on the streets, obstruction of the streets, public drunkenness, fighting, urinating/defecation, littering, etc.

Q: Define excessive noise.

A: Noise that is disturbing the peace of others. It's not just that an officer can hear it, it has to be a disturbance.

Q: Is the level 50 decibels?

A: Noise meter readings in the Entertainment District can't exceed 68 decibels but in a regular residential neighborhood it would be determined "disturbing the peace."

Q: If someone keeps complaining, what would SPD do?

A: It's on a case by case basis. PD would talk to them, explain the impacts to the neighborhood, and if that didn't work then move to enforcement. There must be a victim willing to prosecute unless the noise violation can be cited administratively through the "party ordinance."

There is Council Work Study Session on May 11, 2021 to discuss noise enforcement.

## **EFFORTS IN OTHER CITIES AND RECENT LEGISLATIVE EFFORTS**

Brad Lundahl, Government Relations Director, provided information on what other Arizona cities and cities without SB 1350 restrictions have done or are working toward.

Full Presentation: <https://www.scottsdaleaz.gov/assets/asset85066.aspx>

Q: Is Paradise Valley considering a ballot initiative?

A: That rumor has circulated but it is quite an undertaking. Even if signatures could be gathered, running a statewide election against the short-term rental lobby would be difficult.

Q: Will we look more at collecting applicable taxes from those that don't comply?

A: Yes, we are looking at that and evaluating outside services that identify STR's that are not in compliance.

Q: Aren't STR guests treated like hotel guests and not tenants where they could be asked to leave and not evicted? Is there some case law for Scottsdale's interpretation?

A: Sec. 9-500.39 makes the landlord tenant act applicable because it says the city must treat STR's the same as long term rentals.

Q: Can we work with other cities and towns to find collective solutions?

A: Cities have different issues with STR's. If we are looking at solutions outside the state legislature, we are probably better on our own. If we are looking at legislative solutions, then it is better as a group. Scottsdale is working collectively through the Arizona League of Cities and Towns.

### **NEXT MEETING**

The next meeting is May 5, 2021 at 3:30. It will be a community input listening session and an opportunity for each member to discuss the impacts further in an open forum.

If possible, send any questions in advance for staff coordination. Calendar invitations will be sent to reserve the time on calendars.