



Renewing Your Nightly Rental License

Brian Head Town, Utah

LICENSE RENEWAL INFORMATION FOR 2023 NIGHTLY RENTAL LICENSING

The Brian Head Town Council amended the Nightly Rental Code in 2021 and property owners and Rental Management Companies are responsible to submit the appropriate documents when submitting a new application or renewing their license. We recommend you read the Town Code: Title 3, Chapter 2A – Licensing in General for all requirements regarding business licensing. This can be found on the Town’s website: brianheadtown.utah.gov “TOWN CODE”.

ITEMS TO BE COMPLETED AND/OR SUBMITTED:

1. **FIRE INSPECTION IS REQUIRED WHEN A NEW APPLICATION IS SUBMITTED AND IS REQUIRED ONCE EVERY TWO YEARS:** Additional changes to the fire inspection requirements that took effect since 2021:
 - Carbon monoxide detectors are now required on each floor. If the unit/cabin has an open loft, then the lower level will need the carbon monoxide detector. If the loft is enclosed in any way, then a co2 detector is required for that floor level. This is a requirement regardless of whether there is natural gas to the cabin/unit.
 - The Good Neighbor Policy and Overnight Parking Map are required to be posted near a main entryway. The Town will conduct a fire inspection once every two years (biennially).
 - **CABIN OWNERS:** Parking and Occupancy limits posting requirements are for cabin owners only. The Homeowners Association for each condominium project oversees the parking and occupancy limits for their buildings.
 - **PARKING: CABINS:** You are required to identify the number of parking spaces on-site and post this information near the main entryway. This is one of the fire inspection requirements. On-street parking is NOT allowed between November 1st through April 30th. If you have too many vehicles at your cabin, the Town has identified three locations for overnight parking: **1.** Chair #1 parking lot, **2.** North end of Village Way past the Mall and **3.** Town Hall parking lot. This is also identified in the Good Neighbor Policy. Please note the Town will be installing a parking box at two of the locations (Town Hall and Chair #1 Restrooms). Those parking will need to fill out the vehicle owner contact information and put into the box provided in case there is a need to have the vehicle moved. If you fail to provide the number of parking spaces and your guests have parked on the Town roads, you will be issued a violation and a strike against your license.
 - **MAXIMUM OCCUPANCY: CABINS:** Owners and/or Rental Management Companies will need to post the maximum occupancy limit for each location. The calculation for maximum occupancy is one (1) person per 200 square feet. The maximum occupancy limit must be posted in near the main entryway and is part of the fire inspection.

The fee for the fire inspection is \$30 per unit/cabin and can be paid at the time of application. Please be sure to review the fire inspection requirements before the fire inspection is scheduled to avoid a re-inspection which carries a \$30 re-inspection fee. Please let the Town Clerk know if you plan to be there for the inspection or if there is a code to the unit.

2. **GOOD NEIGHBOR POLICY:** The Town adopted an official Good Neighbor Policy in which each nightly rental is required to post the policy and overnight parking map near a main entryway. You can download the policy and map on the Town's website or by calling the Town offices during normal business hours and one can be emailed to you. We ask that you let your guests know to be good neighbors in respecting other people's property and to try and keep Brian Head clean.
3. **OWNER AFFIDAVIT:** All owners whether using a Rental Management Company or not are required to sign and submit an Owner Affidavit as part of the renewal process. The affidavit states that as an owner of the property, you agree to abide by the requirements and restrictions of applicable zoning, land use and building codes. No license will be issued until the Owner Affidavit is received and completed in full. You can download the affidavit on the Town's website or by calling the Town offices during normal business hours. Many of the Rental Management Companies will submit the affidavit as part of their services.
4. **INSURANCE:** Proof of insurance is required as part of the renewal process. You can email your declaration page or policy number to the Town Clerk. This information is private and is not disclosed to the public.
5. **FEES:** The fee for renewing a license is \$122 for the initial unit and \$26 for each additional unit that is to be renewed. All applications/fees are due no later than October 31st before penalties are applied. The new licensing year begins October 1st, and all licenses automatically expire September 30th. The fire inspection fee is \$30 and can be included in your renewal fees. A Nightly Rental Disproportionate Cost of Service fee is also due at the time of renewal: Cabins: \$248 per cabin/per year; Condos: \$91 per condo/per year.
6. **DELINQUENT FEES:** A business license will not be issued if delinquent fees are due, this includes any Enhanced Service Fees (Shuttle Fees), licensing or fire inspection fees. Once all fees are current and the completed documents are submitted, a license will be issued.
7. **WARNING/VIOLATIONS – 3 STRIKE RULE:** A change was made to the licensing code for warnings and violations of the nightly rental code in 2021. If a licensee receives three written violations, they may have their license suspended or revoked for one year.

After you have successfully completed all the steps required, the Town Clerk will issue your nightly rental business license. Please note that all business licenses expire annually on September 30th.

If you have additional questions regarding the nightly rental application process, please do not hesitate to contact Nancy Leigh, Town Clerk by either phone or email: 435-677-2029 Town Hall or Email: nleigh@bhtown.utah.gov.