



ORDINANCE NO. 28402

1 AN ORDINANCE relating to hotel and home occupation licenses; amending
2 Chapter 6B.130 and Chapter 6B.140 of the Tacoma Municipal Code to
3 clarify that short-term rentals of entire single-family dwellings and
4 residential dwellings with less than three bedrooms for less than 30 days
5 is not subject to hotel or home occupation license requirements; and
6 updating language and license requirements to reflect current
7 enforcement needs.

8 WHEREAS the City currently requires facilities that offer three or more
9 guest rooms for rent for periods of less than 30 days to obtain a hotel license to
10 operate in the City, and

11 WHEREAS the City's requirements for hotel licenses has not changed
12 substantively since 1970, and the license fee has not changed since 1980, and

13 WHEREAS the proposed revisions to TMC 6B.140 include updating the
14 chapter title to "Transient Accommodations" to better describe the business
15 activities that fall under the license requirements; updating definitions, fees, and
16 record requirements; exempting "short-term rental of an entire dwelling" from hotel
17 license requirements; and moving advertising restrictions for all unlicensed
18 businesses to TMC 6B.10, and

19 WHEREAS TMC Title 13 was recently updated for short-term rentals of
20 single-family homes, and

21 WHEREAS TMC Title 6 and Title 13 should have consistent regulation of
22 short-term rental activity to ensure that enforcement of the licensing and land use
23 codes is fair and understandable; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 6B.130 of the Tacoma Municipal Code, relating to home occupations, is hereby amended as set forth in the attached Exhibit "A."

Section 2. That Chapter 6B.140 of the Tacoma Municipal Code, relating to hotels, is hereby amended as set forth in the attached Exhibit "B."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

**Chapter 6B.130
HOME OCCUPATIONS**

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Sections:

- 6B.130.010 License required – Conditional home occupation agreement.
- 6B.130.020 License fee.
- 6B.130.030 Exemptions.

6B.130.010 License required – Conditional home occupation agreement.

A. It is unlawful for any person to engage in a "home occupation," as defined in TMC 13.06.700, within a residential building or building accessory thereto without first obtaining a license pursuant to the provisions of this chapter. Prior to issuance of said license, the Director must be satisfied that the applicant will be in conformance with applicable laws, including, but not limited to, the criteria set out in TMC 13.06.100.E, and the applicant must also manifest his or her assent to comply with all applicable laws and regulations by entering into a Conditional Home Occupation Agreement provided by the Director which will contain the code and regulatory requirements most directly applicable to each applicant's situation.

B. Both the license and the Conditional Home Occupation Agreement are personal to the original applicant, and may not be assigned. If there is a change of location of the licensed home occupation, the license holder need not obtain a new license, but is required to enter into a new Conditional Home Occupation Agreement. Should the type of home occupation be changed, the license holder must obtain a new license and enter into a new Conditional Home Occupation Agreement.

C. "Home occupation" means a business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building. The intent of this definition is to maintain consistency with Home Occupations as defined in TMC 13.06.700, ~~of the City's Zoning Code.~~

6B.130.030 Exemptions.

The Conditional Home Occupation Agreement and fee assessed by the provisions of this chapter shall not apply to:

- A. Any charitable organization;
- B. Day cares, ~~bed and breakfasts, short term rentals, and boarding homes~~ adult family homes as defined in TMC 13.06.700;
- C. Business of renting or leasing real property; or
- D. Persons whose gross business income is derived from service activity in or with the City generating annual gross income of less than \$1,000.



EXHIBIT “B”

**Title 6B
LICENSE CODE**

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Chapters:

- 6B.10 General License Provisions
- 6B.20 Annual Business License
- 6B.30 Adult Entertainment
- 6B.40 Alarm Devices
- 6B.50 Ambulances
- 6B.60 Boilers – Engineer and Fireman Certificates
- 6B.70 Entertainment/Dancing – Alcohol served
- 6B.80 Entertainment/Dancing or Skating Rinks – All Ages
- 6B.90 Fire Alarms and Fire Suppression Systems
- 6B.100 Repealed
- 6B.110 Garages, Fuel Stations and Marine Repair Facilities
- 6B.120 Gas Fitters and Appliance Installers
- 6B.125 Hazardous Materials
- 6B.130 Home Occupations
- 6B.140 [Hotels Transient Accommodations](#)
- 6B.145 Live/Work and Work/Live
- 6B.150 Oil and Gas Delivery Vehicles
- 6B.160 Pawnbrokers, Secondhand Dealers and Garage Sales
- 6B.165 Provisional Rental Property License
- 6B.170 Sales – Door-to-Door Soliciting
- 6B.175 Sales – Food Truck Vendors
- 6B.180 Sales – Sidewalk Vendors
- 6B.190 Repealed
- 6B.200 Septic and Side Sewer Contractors
- 6B.210 Sign Erectors
- 6B.220 For-Hire Regulations
- 6B.230 Temporary Licenses – Sales or Shows

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**Chapter 6B.140
[HOTELSTRANSIENT ACCOMMODATIONS](#)**

Sections:

- 6B.140.010 License required.
- 6B.140.020 Definitions.
- 6B.140.030 License fees.
- 6B.140.040 Exemptions.
- 6B.140.050 [Hotel register Record](#) requirements.
- 6B.140.060 Manager required on premises.
- 6B.140.070 Prohibited use of [hotel transient accommodation](#).
- 6B.140.080 [Guest R room numbering identification](#).
- ~~6B.140.090 Advertising unlicensed premises.~~



6B.140.010 License required.

It shall be unlawful for any person, either as owner, lessor, lessee, manager, or agent, to conduct, keep, manage, or operate or cause to be kept, managed or operated, transient accommodation establishments such as hotels, motels, rooming houses, or lodging houses, or bed and breakfast facilities in the City without first obtaining a license pursuant to the provisions of this chapter.

6B.140.020 Definitions.

“Adult hotel” means a transient accommodation that offers a guest room for rent for any period of time less than 10 hours or allows a person to sub-rent the guest room for a period of time that is less than 10 hours.

“Guest” shall mean any person to whom lodging and other services are furnished, and all other persons occupying or registered to occupy a lodging unit at a transient accommodation visiting a room or rooms.

“Guest room” means an individual room or group of interconnected rooms intended for sleeping that is for rent or use by a guest, and is individually designated by number, letter, or other means of identification. A guest room may or may not include areas for cooking and eating.

“Hotel Transient accommodation” shall mean and include hotels, motels, rooming houses, lodging houses, or any other building or facility, such as a hotel, motel, condominium, resort, bed and breakfast, short-term rental that meets the definition of TMC 13.06.700, or any other facility or buildings place offering used for human habitation containing more than three or more guest rooms to persons rooms intended or designed to be used or which may be used for sleeping or living quarters by guests for periods of not moreless than 9030 days, which are rented or hired out for compensation as a business, except transient accommodation shall not include a short-term rental where the entire dwelling is rented.

6B.140.030 License fees.

The license fees for a hotel transient accommodation are hereby fixed at \$75.00 as follows:

<u>Hotel</u>	<u>\$50.00</u>
<u>Room</u>	<u>\$.50 each</u>

6B.140.050 Hotel register Record requirements.

Every person operating or conducting any hotel transient accommodation as defined herein shall at all times keep therein a hotel register in the form of a permanently bound volume or a permanent card file system which shall be kept in chronological order by date and be inscribed with ink include the time the guest checks into and out of the guest room, the name and home mailing address of each and every guest, which shall include the person renting the guest room, and the names of all other persons occupying or visiting at the guest room or rooms therein. The name or names of such guests shall be written upon the register, either by themselves or the person renting such room or rooms, and the proprietor of such hotel shall thereupon write opposite each name so registered the number of the room or rooms assigned to each guest and the time when the same is rented, and until the names and entries are made in the register no guest shall be permitted to occupy privately any room in said hotel. The owner or operator shall also require valid photo identification for all guests, including those paying in cash, money order, traveler check or personal checks, or by voucher, at the time of registration. Such identification shall be in valid and current form issued by a governmental entity, which shall be recorded in the register.

At the time said room or rooms are surrendered, the proprietor shall enter the time thereof opposite the name of the person surrendering said room or rooms. The register shall be open at all times to the inspection of any police officer of the City or the state of Washington or other governmental agency. The operator of any hotel transient accommodation shall also keep a permanent record of all reservations made for and on behalf of any guest at any other hotel, and a copy of guest photo identification taken at the time of registration. Registrations such records are to be kept in chronological order by date and retained for a period of three years, and shall be open to inspection at all times by the police



~~department~~any police officer of the City or the state of Washington or other City official conducting official City business.

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6B.140.060 Manager required on premises.

Every person conducting, keeping, managing, or operating, or causing to be conducted, kept, managed, or operated, any hoteltransient accommodation shall have a manager or person in charge of said hoteltransient accommodation present on the premises of said hoteltransient accommodation at all times that the same is being conducted, operated, and maintained. Said manager or person in charge shall be screened for civil and criminal background information by a company that is licensed with the City prior to being employed at any hoteltransient accommodation licensed hereunder.

6B.140.070 Prohibited use of hoteltransient accommodation.

No person in charge of any hoteltransient accommodation, either as owner, agent, manager, clerk, ~~servant~~, or employee or in any other capacity, shall use, permit, or suffer to be used the hoteltransient accommodation or any portion thereof for the purpose of an adult hotel, prostitution; the illegal manufacture, possession, sale, distribution, or use of narcotics or dangerous drugs as designated or defined by TMC 8.28; or shall permit any fighting, boisterous conduct, or any other disorderly conduct therein.

6B.140.080 Guest Rroom numberingidentification.

Each ~~sleeping~~guest room ~~and apartment~~ in a hoteltransient accommodation shall be ~~numbered~~identified in a plain and conspicuous manner by placing such numberidentification, such as a number, letter, or other method of identification on the outside door of each guest room, and no two guest rooms shall bear the same numberidentification. In addition to this requirement, ~~hotels and motel~~transient accommodations may be subject to TMC 8.45.080, which contains additional site hardening requirements.

~~**6B.140.090 Advertising unlicensed premises.**~~

~~No building shall be advertised as conducting any activity that falls under the definition of a hotel as set forth herein, nor shall any sign, placard, poster, banner, card or other advertising matter using any of the words "hotel," "motel," "rooming house," "lodging house," "rooms," "lodging," or words of similar import be placed, erected, displayed, or maintained on the outside or in close proximity to any hotel building, or in the inside in such a manner as it may be seen from the outside thereof, unless the person conducting a hotel therein is licensed pursuant to the provisions of this subtitle, and such license is unexpired and unrevoked.~~