

**BRIGHTON, UTAH**  
**ORDINANCE NO. 2021-O-07-01**

AN ORDINANCE AMENDING TITLE 5 BUSINESS LICENSES SECTION 5.19.070 TO  
PROHIBIT OPEN FIRES AT SHORT TERM RENTALS

WHEREAS, the Brighton Town Council ("Council") finds that Brighton, throughout all areas, contains innumerable mountainous, brush-covered, forest covered, and dry grass-covered areas which historically create extremely flammable conditions;

WHEREAS, short term rentals bring visitors to Brighton that are unfamiliar with the extreme fire danger conditions in Brighton;

WHEREAS, the Council finds that restricting the use of open flames are necessary to protect the health, safety, and property of the public and the Town;

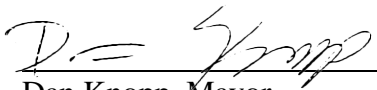
NOW, THEREFORE, BE IT ORDAINED by the Brighton Town Council that:

**Section 1. Amendment.** Title 5, Chapter 19 of the Brighton Town Code is hereby amended as indicated in Attachment A.

**Section 2. Effective Date.** This ordinance shall go into effect upon publication.

**PASSED AND APPROVED THIS 13<sup>th</sup> Day of July, 2021.**

TOWN OF BRIGHTON

By:   
Dan Knopp, Mayor

ATTEST

  
Kara John, Town Clerk



## **Attachment A**

### **5.19.070 Maintenance - Structures And Grounds - Other Requirements And Limitations**

- A. A short-term rental shall be maintained to the following minimum standards:
1. Periodic housekeeping service shall be provided by the owner, including removal of trash to the nearest collection point, on at least a weekly basis. All trash and recycle containers must remain inside the home or placed in an approved bear and wildlife proof trash container until they are taken to a trash collection point or dumpster to prevent wildlife from scattering trash. No trash or recycling can be left outside the dwelling. Owner shall provide directions on recycling protocols and location of dumpsters to tenants.
  2. Short-term rentals may not be used for any of the following:
    - a. Commercial purposes not otherwise permitted in the zone.
    - b. Distribution of retail products or personal services to invitees for marketing or similar purposes; or
    - c. The outdoor display of goods and merchandise for sale; or.
    - d. No short-term rental can exceed a maximum of 15 adults overnight. Any property wishing to accommodate 16 or more adult overnight guest must obtain a hotel license as required by Brighton Town Code 19.04.300.
  3. Structures shall be properly maintained, painted, and kept in good repair.
  4. Snow is removed by community snowplows as soon as feasible. Owner is responsible for paying road and driveway snowplow costs. Renter is responsible for light snow removal if necessary, when no plows are present. Snow shovels must be provided to the renter for that purpose.
- B. The access to the short-term rental unit and the layout of the short-term rental shall be designed so that noise and physical trespass from the short-term rental unit is not likely to be a substantial intrusion on adjoining properties. If the short-term rental unit is a single-family home, duplex, condominium, or other dwelling place and shares an access, hallway, common wall, or driveway with another dwelling, written consent of the owner of the other dwelling is required.
- C. Responsible Party.
1. The licensee must designate a responsible party who is an individual or property management company who can respond on site within two hours. .
  2. The responsible party is personally liable for failure to properly manage the short-term rental.
  3. The responsible party must be available by telephone, or otherwise, twenty-four hours per day and must be able to respond to inquiries within twenty minutes of receipt of an inquiry.

- D. The licensee must have a sales tax collection and sales tax accounting number for the rental operation and the sales tax number must be included on the short-term rental application. All applicable taxes, charges, and fees, including the transient room tax, must be paid in full during the period of licensure.
- E. Occupants of a short-term rental shall not create excessive noise that is incompatible with adjacent land uses. Quiet hours are 10 pm-7 am. Information about quiet hours shall be posted inside the short-term rental. It is the responsibility of the owner or property manager to prevent nuisance behavior and maintain neighborhood peace and quiet.
- F. The use of a dwelling as a short-term rental shall not change the appearance of the dwelling or property for residential purposes.
- G. No open fires of any kind except compressed or liquid gas grills, stoves, and pellet fed smokers allowed with proper clearance of flammable materials. ~~No outside burning is allowed in the Town of Brighton. Campfires must be contained in a pit that meets UFA regulations:~~
- ~~i) Pit can be no larger than 3 ft. in diameter and 2 ft. deep.~~
  - ~~ii) Pit must be 25 ft. away from any structure of combustible materials.~~
  - ~~iii) A water hose must be readily available.~~
  - ~~iv) Campfires must be constantly attended.~~
  - ~~v) Douse campfires with water and stir ashes to make sure it is completely wet, as fire can reignite from hot ashes underneath.~~
- H. Snow Tires.
- i) Owners shall inform renters from November 1- April 15 of the Utah Department of Transportation rules pertaining to snow tires requiring M/S or M+S tires, snow tires (3PMSF), and provide information to renters for social media links, and other information sites on weather and road conditions, and inform renters that many rental cars do not provide M/S or M+S tires, snow tires (3PMSF), nor allow chains to be used on their vehicles.
  - ii) All service providers for short terms rentals including cleaning services shall be required to have snow tires from November 1- April 15.
- I. No short-term rental in the Town of Brighton may be used for Special Events including commercial weddings, concerts, or parties.

### **5.19.080 Interior Signage**

Interior Signage. Inside every short-term rental will be posted a set of guidelines as listed below. All guidelines are regulations which may be enforced.

This will be a framed document at least 8.5" wide by 14 long" (Legal Size Paper).

The following guidelines will be listed:

1. Contact information for the owner or property manager that can respond to a call within 20 minutes or be on site within 2 hours.
2. The maximum number of overnight guests is the smaller of the maximum occupancy of \_\_\_\_\_ or 15 adults.
3. Quiet hours in the Town of Brighton are 10pm-7:00am.
4. All vehicles must be parked on this property or will be towed at vehicle owner's expense.
5. The Town of Brighton is in a very high fire hazard zone. No open fires of any kind except compressed or liquid gas grills, stoves, and pellet fed smokers allowed with proper clearance of flammable materials. ~~All outdoor fires must be contained in a fire department approved pit. No fires can be made on the ground or left unattended and must be dosed with ample amounts of water so that a person can dig into the coals without being burned.~~
6. No ~~fire~~ ashes may be dumped in dumpsters until mixed with water.
7. Due to the hazard of wild animals no trash or recycling can be left outdoors. Please place trash and recycling in the proper dumpsters as soon as possible. Please observe recycling protocols.
8. No Dogs are allowed in the Town of Brighton.
9. Roof avalanches are common around canyon homes. Beware of traveling between or under rooflines.
10. We welcome you to our town and hope you have a wonderful time. Thank you for being good neighbors.