

MARANA ORDINANCE NO. 2019.016

RELATING TO BUSINESS REGULATIONS; ADOPTING REVISIONS TO MARANA TOWN CODE TITLE 9 (BUSINESS REGULATIONS); REVISING SECTION 9-1-2 (DEFINITIONS) TO AMEND THE DEFINITION OF "RESIDENTIAL REAL PROPERTY RENTAL" AND TO ADD A DEFINITION OF "VACATION RENTAL" OR "SHORT-TERM RENTAL"; ADDING NEW SECTION 9-2-4 (VACATION RENTAL OR SHORT-TERM RENTAL CONTACT INFORMATION) AND RENUMBERING THE SECTIONS THAT FOLLOW TO CONFORM; REVISING SECTION 9-3-3 (EXEMPTIONS) TO CLARIFY AN EXEMPTION RELATED TO PEDDLERS; REVISING SECTION 9-13-5 (ADDITIONAL APPLICATION REQUIREMENTS) TO CLARIFY APPLICATION REQUIREMENTS FOR MOBILE FOOD VENDORS; AND DECLARING AN EMERGENCY

WHEREAS the Town Council is authorized by A.R.S. § 9-240 to authorize the issuance of licenses and to direct the manner of issuing licenses; and

WHEREAS the Town Council finds that revising Title 9 of the Marana Town Code regarding business regulations as set forth in this ordinance is in the best interests of the Town and its residents.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

Section 1. Marana Town Code Title 9 (Business Regulations) is hereby amended to revise section 9-1-2 (Definitions) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

9-1-2 Definitions

The following definitions shall apply throughout this title unless the context clearly indicates or requires a different meaning.

[No revisions to paragraphs A through L]

M. "Residential real property rental" means the business of offering for rent, lease, or license a building or structure that is used for a home or residence by one or more persons who maintain a household. This definition does not include any of the following:

- ~~1. Short term rentals for a period of 29 consecutive days or less;~~

12.The use of a home or residence for business activities, including assisted living or behavioral health residential facilities; or

23.The use of a home or residence for any other business operation that does not meet this definition of residential real property rental.

[No revisions to paragraphs N and O]

P. "Vacation rental" or "short-term rental" means the same as defined in A.R.S. § 9-500.39.

Section 2. Marana Town Code Title 9 (Business Regulations) is hereby amended to add new section 9-2-4 (Vacation rental or short-term rental contact information) and to renumber the sections that follow to conform:

9-2-4 Vacation rental or short-term rental contact information

- A. Before offering for rent or renting a vacation rental or short-term rental, the owner of the vacation rental or short-term rental shall provide the license inspector with contact information for the owner or the owner's designee on a form provided by the license inspector for that purpose.
- B. The owner or the owner's designee is responsible for responding to complaints in a timely manner in person, by telephone, or by e-mail at any time of day.
- C. The license inspector shall not charge a fee to an owner providing the information required by this section.

Section 3. Marana Town Code Title 9 (Business Regulations) is hereby amended to revise section 9-3-3 (Exemptions) as follows (with additions shown with double underlining):

9-3-3 Exemptions

The provisions of this chapter shall not apply to:

[No revisions to paragraphs A through C]

- D. Merchants or their employees soliciting orders for goods or services or delivering goods and services in the regular course of business, as long as the merchants obtain and maintain a valid business license issued pursuant to and subject to the provisions of chapter 9-2.

[No revisions to paragraph E]

Section 4. Marana Town Code Title 9 (Business Regulations) is hereby amended to revise section 9-13-5 (Additional application requirements) as follows (with deletions shown with ~~strikeouts~~):

9-13-5 Additional application requirements

In addition to the application requirements set forth in section 9-2-4, any person desiring to obtain a license to conduct business as a mobile food unit shall submit all of the following supplemental information:

[No revisions to paragraphs A through D]

~~E. A copy of the required mobile food unit license issued by the Arizona department of health services.~~

Section 5. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 6. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. Since it is necessary for the preservation of the peace, health and safety of the Town of Marana that this ordinance become immediately effective, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 6th day of August, 2019.

Mayor Ed Honea

APPROVED AS TO FORM:

Frank Cassidy, Town Attorney

ATTEST:

Cherry L. Lawson, Town Clerk