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BILL NO. _____

SUMMARY – An ordinance amending regulations pertaining to short-term rental units.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 7, CHAPTER 7.100 OF THE CLARK COUNTY CODE TO REVISE THE PURPOSES AND REGULATIONS GOVERNING SHORT-TERM RENTAL UNITS; TO AMEND TITLE 30, CHAPTERS 30.03 AND 30.07, OF THE CLARK COUNTY CODE TO ADD SHORT-TERM RENTALS AS A CONDITIONAL COMMERCIAL USE IN CERTAIN ZONING DISTRICTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 7, Chapter 7.100, Section 7.100.010 of the Clark County Code is hereby amended as follows:

7.100.010 Findings.

The Clark County Board of Commissioners finds and declares that:

- (a) The primary function of residential development in Clark County is to provide permanent, affordable housing for the residents of the county. The commercial use of residential development for transient lodging is inconsistent with this purpose and constricts the availability of affordable housing.
- (b) The use of short-term rental properties to host large, disruptive parties in residential neighborhoods and for purposes other than those incidental to dwelling, lodging, and sleeping, causes harm to the quality of life for the permanent residents of Clark County and constitutes a public nuisance.
- (c) The increasing number of short-term rental units in Clark County has diverted a noticeable portion of transient lodging away from traditional transient lodging establishments and has negatively impacted the revenue derived from such rentals to local governments and other agencies and beneficiaries of transient lodging taxes.

- (d) On June 4, 2021, Assembly Bill 363 (AB 363) from the 2021 Nevada State Legislative Session was signed into law by the Governor of the State of Nevada. AB 363 requires Clark County to repeal its longstanding prohibition on the use of short-term rental properties in residential neighborhoods and instead adopt and enforce an ordinance allowing for the rental of a residential unit or a room within a residential unit for the purposes of transient lodging.
- (e) The operation of a residential unit as a short-term rental is a commercial use which necessitates the payment of the combined transient lodging tax and which renders the short-term rental property ineligible for the primary residential tax cap permitted in NRS 361.
- (f) Pursuant to its powers to address matters of local concern; to adopt such ordinances and regulations necessary and proper to develop affordable housing; and to repair, clear, correct, rectify, safeguard or eliminate any public nuisance, the Clark County Board of Commissioners finds that it is necessary to license those persons who operate residential units for the commercial purpose of transient lodging and to impose restrictions on the operation of those businesses as is necessary to provide for the health, safety, and welfare of the public, as set forth in this chapter.
- (g) The Board of County Commissioners hereby declares the operation of a residential unit as a short-term rental within residential zoning districts, and in multi-family dwelling units located within residential and commercial zoning districts, to be a privileged activity subject to additional operational standards above and beyond those of residential uses and subject to specific enforcement and revocation procedures. All short-term rental business licenses are discretionary and revocable.

SECTION 2. Title 7, Chapter 7.100, Section 7.100.050 of the Clark County Code is hereby amended as follows:

7.100.050 Limitation on the number of short-term rental licenses.

~~[Except as otherwise provided in this chapter, there shall be a minimum of one short term rental license available for each established unincorporated area within Clark County, Nevada.]~~ The maximum number of short-term rental licenses that may be issued by the department ~~[in any unincorporated area]~~ shall not exceed one percent of the total number of housing units located in the unincorporated areas of Clark County, rounded down to the nearest whole number.

For purposes of this section, the maximum number of short-term rental licenses available ~~[within each unincorporated area in the county]~~ shall be calculated by the department on an annual basis. The department must base its calculation upon the most recent estimate of the total number of housing units in the unincorporated areas as determined by the county.

SECTION 3. Title 7, Chapter 7.100, Section 7.100.080 of the Clark County Code is hereby amended as follows:

7.100.080 Ineligible residential units.

The department shall not issue a short-term rental license permitting the operation of a residential unit as a short-term rental unit if:

- (a) The residential unit is not intended to be used for permanent lodging, including, but not limited to, recreational vehicles, travel trailers, tents, and motor vehicles;
- (b) The residential unit is a mobile or manufactured home;
- (c) The residential unit is located in an unincorporated area within:
 - (1) The Town of Mt. Charleston;
 - (2) Moapa Township;
 - (3) Moapa Valley Township;
 - (4) Mesquite Township; or
 - (5) Bunkerville Township.
- (d) The residential unit is not lawfully connected to a municipal wastewater system;
- (e) The residential unit is located within:
 - (1) An apartment building;
 - (2) A multifamily dwelling wherein the issuance of the short-term rental license would result in more than ten percent of the residential units in the multifamily dwelling being rented for the purposes of transient lodging or which would violate a prohibition against such rentals or a stricter limitation established by the owner of the multifamily dwelling;
 - (3) A common-interest community, unless the governing documents of the community expressly authorize the rental of a residential unit for the purposes of transient lodging;

- (f) The residential unit does not comply with the standards and conditions for a short-term rental use as set forth in Chapter 30.03 of this code. ~~[is situated:]~~
- ~~[(1) Within two thousand five hundred feet of a resort hotel as defined in NRS 463.01865 or in Section 8.04.010.145 of this code, or from a property approved for a resort hotel pursuant to a valid special use permit and where construction has commenced, measured from the nearest property line of the residential unit to the nearest property line of the resort hotel; or~~
- ~~(2) Within one thousand feet of any short term rental unit, as measured from the nearest property line of the residential unit to the nearest property line of any licensed short term rental unit, except that any residential unit located wholly within a multifamily dwelling shall not be excluded from licensure for the reason that it is located within one thousand feet of a licensed short term rental unit;]~~
- (g) The residential ~~[rental]~~ unit is not in a safe, habitable, and hazard-free condition, including, without limitation, any residential unit:
- (1) Which is imminently dangerous pursuant to Chapter 11.08 of this code;
 - (2) Which violates the provisions of housing or health codes concerning the health, safety, sanitation or fitness for habitation of the residential unit; or
 - (3) Which was constructed, or to which any addition, alteration, or repair was made, without first obtaining any permit or other approval required by Section 22.02.165 of this code, unless the construction, addition, alteration or repair was subsequently remediated to the satisfaction of the permitting department or authority;
- ~~[(h) A review of Clark County Code Enforcement's case management system reveals multiple substantiated violations of Clark County Code within the preceding thirty six months that were not subsequently remediated to the satisfaction of code enforcement;]~~
- ~~[(i)]~~(h) The residential unit has been designated as below market rate or income-restricted, is subject to affordability covenants, or is otherwise subject to housing or rental assistance under local, state, or federal law; or
- ~~[(j)]~~(i) Operation of the residential unit as a short-term rental unit is prohibited by state or federal law or any provision of this chapter or code.

Any short-term rental license issued by the department in contravention of the foregoing prohibitions is void and shall be revoked.

SECTION 4. Title 7, Chapter 7.100, Section 7.100.090 of the Clark County Code is hereby amended as follows:

7.100.090 Short-term rental license application requirements.

- (a) All applications for a short-term rental license pursuant to this chapter shall be made ~~[in-writing]~~ on forms provided by the department. The department shall be responsible for the administration of applications for short-term rental licenses. A separate application shall be required for each residential unit and no duplicate applications shall be permitted.
- (b) The application shall, at minimum, contain:
 - (1) The street address of the residential unit;
 - (2) The number of bedrooms within the residential unit as enumerated in the records of the county assessor's office;
 - (3) The name, date of birth, mailing address, telephone number and e-mail address of each owner of the residential unit, and if any owner is not a natural person, the name, date of birth, mailing address, telephone number and e-mail address of all shareholders, partners, members, managers, officers, principals, settlors, trustees, and beneficiaries, as applicable;
 - ~~[(4)] [The name(s) of all accommodation facilitators and rental sites that will be used to advertise the short-term rental unit;]~~
 - ~~[(5)]~~(4) The name and contact information of the local representative;
 - ~~[(6)]~~(5) The name and contact information of any property manager or property management company, if used; and
 - ~~[(7)]~~(6) The notarized signature of the property owner(s), as follows:
 - (I) In the case of a natural person, by that natural person;
 - (II) In the case of a business entity, by the officer, director, manager, partner or other natural person having the authority to bind the business entity to a contract;
 - (III) In the case of a trust, by each of the trustees.
- (c) Each application must be accompanied by:
 - (1) A nonrefundable application fee of forty-five (\$45.00) dollars;

(2) A declaration signed by the property owner(s) stating that the information provided in the application is true, accurate, and complete to the best of their knowledge and understanding;

~~[(3)] [Evidence of general liability insurance in the amount of at least five hundred thousand dollars per occurrence that indicates the property is used for transient lodging;]~~

~~[(4)]~~[3] A copy of the applicant's most recent bill for sewer services;

~~[(5)]~~[4] If the short-term rental unit is in a common-interest community, evidence that the governing documents expressly authorize the rental of a residential unit or a room within residential unit for the purposes of transient lodging; and

~~[(6)]~~[5] A copy of the applicant's state business license.

(d) The department shall not be required to screen applications for completeness nor notify any applicant of an incomplete application.

SECTION 5. Title 7, Chapter 7.100, Section 7.100.100 of the Clark County Code is hereby amended as follows:

7.100.100 ~~[Application procedures.]~~ Inspections.

~~[(a) The department shall commence an application period for the issuance of short term rental licenses at least one time annually unless the department determines that no licenses are available for issuance.~~

~~[(b) The application period shall remain open for not less than one month but not more than three months; except, however, that the application period to open in calendar year 2022 shall remain open for six months.~~

~~[(c) Not less than thirty days before the commencement of the application period, the department shall publish the dates of the application period on the county website and in at least one newspaper of general circulation in Clark County.~~

~~[(d) All applications must be submitted through the department's licensing system during the application period. The department will not be responsible for the applicant's failure to apply in a timely manner for any reason, including technical issues.~~

~~[(e) Upon receipt of each application, the application will be assigned a unique identification number for internal tracking purposes.~~

- ~~(f) After receipt, the department may screen applications for completeness. The department shall not be required to notify any applicant of an incomplete application.~~
- ~~(g) After the application period has closed, the department shall enter the unique identification numbers into a random number generator program that will list the timely submitted applications in a random order to determine the order in which the applications will be considered for a short-term rental license. The inclusion of an application on the list does not guarantee that an applicant will receive a short-term rental license.~~
- ~~(1) The list shall thereafter be published on the county website.~~
- ~~(2) The department shall review the applications in listed order to determine eligibility for a short-term rental license until all licenses available are issued.~~
- (h) Upon 48-hour notice of the department, the residential unit shall be subject to inspection or code compliance review by any county agency or department to ensure the residential unit's compliance with the provisions of this chapter prior to the issuance of a short-term rental license. For owner-occupied residential units, inspections under this chapter shall be limited to the areas of the home that will be used by guests during operation of the short-term rental unit which may include, without limitation, bedrooms, bathrooms, kitchen, dining area, living room, garage and yards.

SECTION 6. Title 7, Chapter 7.100, Section 7.100.110 of the Clark County Code is hereby amended as follows:

**7.100.110 ~~[Issuance or denial of short-term rental license]~~
Application Procedures.**

~~[Upon consideration of the information provided within the submitted application, including the accompanying documents the department shall issue or deny the application for an accommodations facilitator license as set forth in Section 6.04.090 of this code.]~~

- (a) All complete applications will be considered for approval in the order in which they were received by the department. ~~[in and subject to the sequence established under Section 7.100.100(g) of this chapter.]~~ An application may be denied without regard to the order in which the application was received by the department.
- (b) Any business license applied for under the provisions of this chapter will be considered for approval within forty-five (45) business days

after a final determination is reached regarding the preceding application by the department; provided, however that the time for determination shall be tolled:

- (1) When the department has requested further information from the applicant;
- (2) During the pendency of any inspection; and,
- (3) During the pendency of any review and approval required by Title 30 of this code.

As used herein, a “final determination” shall exist when the department has approved or denied the application on its merits and appeal therefrom has not been timely filed or, if an appeal to a hearing officer is timely filed, the hearing officer has issued a final decision to affirm or reverse the action of the department.

~~(a)~~(c) In addition to the reasons for denial of the application for business license set forth in Section 6.04.090 of this code, the department may deny an application for a short-term rental license if:

- (1) The application is incomplete or the applicant has failed to provide all required information;
- (2) The applicant has failed to respond to a request for further information, or a request to schedule an inspection, within fourteen (14) calendar days of the request;

~~(2)~~(3) The applicant has not paid any fee required by this chapter;

~~(3)~~(4) The applicant fails or refuses to cooperate fully with any inspection authorized by this chapter;

~~(4)~~(5) The applicant has made any false, misleading, or fraudulent statement in the application or accompanying documentation;

~~(5)~~(6) The applicant is ineligible for licensure pursuant to the provisions of this chapter or pursuant to any local, state or federal law or regulation pertaining to the operation of residential units for the purpose of transient lodging; or

~~(6)~~(7) The operation of the residential unit as a short-term rental unit is prohibited by this chapter or by any local, state or federal law or regulation pertaining to the operation of residential units for the purpose of transient lodging.

~~(b)~~(d) Upon denial of an application for a short-term rental license, the department shall issue a written notice of the denial of the application to the applicant which clearly sets forth the reasons for the denial. Any applicant aggrieved by the denial of an application for a short-

term rental license may request an administrative hearing before a hearing officer in accordance with the provisions of Section 6.04.090(j) of this code.

- ~~[(e)]~~(e) Before issuance of the short-term rental license, the applicant shall pay the annual fee required by this chapter and a nonrefundable inspection fee of one hundred and fifty (\$150.00) dollars.

SECTION 7. Title 7, Chapter 7.100, Section 7.100.130 of the Clark County Code is hereby amended as follows:

7.100.130 Annual renewal of short-term rental license.

~~[Each short term rental license shall be renewed annually upon:]~~

- (a) A short-term rental license must be renewed and issued annually in order to advertise or operate. Previous issuance of a short-term rental license does not guarantee that a subsequent license will be issued.
- (b) Renewal will require submittal of the following:
- ~~[(a)]~~(1) The receipt of a renewal application on a form provided by the department and any accompanying documentation as requested by the department, including without limitation an updated general liability insurance certificate, property owner contact information, and local representative contact information;
- ~~[(b)]~~(2) Payment of all fines, fees and costs stemming from violations of this code;
- ~~[(c)]~~(3) Inspection of the residential unit and payment of an inspection fee of one hundred fifty (\$150.00) dollars, if deemed necessary by the department; and
- ~~[(d)]~~(4) Timely payment of the annual fee required by this chapter, subject to the provisions in Section 6.04.060 of the Clark County Code.
- (c) If the department determines that a short-term rental license should not be renewed, the department shall issue a written notice to the licensee which clearly sets forth the reasons the short-term rental license was not renewed.

Any licensee aggrieved by the nonrenewal of a short-term rental license may request an administrative hearing before a hearing officer in accordance with the provisions of Section 6.04.090(j) of this code.

SECTION 8. Title 7, Chapter 7.100, Section 7.100.160 of the Clark

County Code is hereby amended as follows:

7.100.160 Restrictions on rentals.

- (a) Maximum Occupancy. The maximum occupancy of the residential ~~[rental]~~ unit must be limited to the lesser of two persons per bedroom or ten persons per residential unit. The number of bedrooms in the short-term rental unit shall be fixed at the number of bedrooms enumerated in the records of the county assessor's office as of the date of application of the short-term rental license.
- (b) Minimum Night Stay. The licensee must not accept bookings of fewer than two nights per booking.
- (c) Multiple Bookings Prohibited. The licensee may not accept more than one booking for the residential unit for the same booking period.
- (d) For purposes of this section, accessory ~~[apartments, guest quarters, casitas, and temporary]~~ living quarters, as defined in Section ~~[30.08.030]~~ [30.07.02](#) of this code, ~~[which are appurtenant to the residential unit,]~~ shall be considered bedrooms of the residential unit.

SECTION 9. Title 7, Chapter 7.100, Section 7.100.170 of the Clark

County Code is hereby amended as follows:

7.100.170 Duties.

Every licensee must comply with all duties, obligations, and requirements imposed by this chapter. Such duties, obligations, and requirements include:

- (a) Duty to Update Information. Each licensee must provide the department with any new or changed information as the department may deem necessary within seven days, including without limitation any changes to the contact information for the licensee and local representative~~[, and the name(s) of all accommodation facilitators and rental sites that will be used to advertise the short-term rental unit]~~.
- (b) Annual Fee. Each licensee must pay to the department the annual license fee required by this chapter.
- (c) Insurance. Each licensee must maintain general liability insurance coverage with limits of not less than five hundred thousand ~~(\$500,000)~~ dollars per occurrence. An excess liability policy or umbrella liability policy may be used in addition to the general liability policy to meet the minimum liability requirements. [Prior to](#)

commencing business operations, the licensee must file a certificate of insurance evidencing general liability insurance coverage to the department. The certificate of insurance must identify that the residential unit is used for transient lodging and be provided to the department.

- (d) Local Representative. Each licensee must designate a local representative who is responsible for the rental and available to respond to the short-term rental unit within thirty minutes during all times that the property is rented or used on a transient basis. The name and contact information of the local representative shall be provided to the department and shall be provided to any interested person upon request.
- (e) Complaint Response. The licensee shall make available to the department a local twenty-four hour phone number that provides the capability of producing a response to complaints regarding the condition, operation, or conduct of the occupants of the short-term rental unit by the licensee or local representative within thirty minutes.

~~[(f)] [Required Report. Unless the following information is collected and provided to the department by an accommodations facilitator, each licensee must submit a monthly report in the format prescribed by the department providing the following information about the short-term rental unit:~~

- ~~(1) The number of bookings, listings, and lessees for the month;~~
- ~~(2) The average number of bookings per listing;~~
- ~~(3) Current year-to-date booking value;~~
- ~~(4) Current year-to-date revenue collected;~~
- ~~(5) The average length of a rental;~~
- ~~(6) Booking value per rental;~~
- ~~(7) Actual length of stay per address per rental transaction; and,~~
- ~~(8) The names of all platforms used to list the rental unit.]~~

~~[(g)]~~ (f) Educational Materials. Each licensee shall:

- (1) Furnish an educational pamphlet created by the department to the occupant at the time of booking and upon checking into the short-term vacation rental;
- (2) Maintain a copy of the educational pamphlet within the short-term rental unit; and

- (3) Conspicuously post a notice within the short-term rental unit that, at minimum, identifies the occupancy limitations for the residential unit, emergency telephone numbers, the twenty-four hour telephone number required by this chapter, safety information, trash requirements, parking rules and noise regulations.

~~(H)~~(g) Visibility of Address. The licensee must ensure that the address of the residential unit is clearly visible from the roadway and illuminated at night.

~~(H)~~(h) Duty to Maintain the Residential Unit in a Safe and Habitable Condition.

- (1) Each licensee must maintain the short-term rental unit in a safe, habitable, and hazard-free condition, including, without limitation, all mechanical, electrical and plumbing systems within the residential unit.
- (2) To ensure compliance with this code and to provide for the public peace, health, safety, order, and welfare, each licensee must permit the inspection of the residential unit by the department, or by any department or agency required by the department to conduct an inspection of the residential unit upon 48-hour notice. It shall be the duty of the licensee to provide access to and means for proper inspection of the residential unit. For owner-occupied residential units, inspections under this section shall be limited to the areas of the home that will be used by guests during operation of the short-term rental unit which may include, without limitation, bedrooms, bathrooms, kitchen, dining area, living room, garage and yards.
- (3) Nothing in this section is to be construed as a restriction on the entry to the residential unit by law enforcement, firefighters, emergency responders, or Clark County Code Enforcement in response to exigent circumstances or pursuant to a valid warrant or court order.

~~(H)~~(i) Fire Safety. Each licensee must:

- (1) Provide at least one working fire extinguisher (minimum acceptable size of 2A:10B:C) on each floor of the short-term rental unit, including basements and habitable attics.
- (2) Install and maintain interconnected multiple-station smoke alarms at the following locations:
 - (I) In each bedroom and room used for sleeping purposes;

- (II) Immediately outside each bedroom and room used for sleeping purposes, and
 - (III) In each story of the residential unit, including basements and habitable attics.
- (3) Install and maintain a carbon monoxide detector, or a combination smoke and carbon monoxide detector, on each floor of the short-term rental unit, including basements and habitable attics.
 - (4) Post an evacuation route plan which meets Nevada Fire Marshal's regulations and standards or the provisions of the Uniform Fire Code of Clark County, whichever is most stringent, in each bedroom of the residential unit.
 - (5) Ensure that all methods of egress are not constrained by obstructions including, without limitation, window security bars.
- ~~[(k)]~~ (j) Payment of Transient Lodging Taxes. ~~[If the licensee collects payment directly from the guest, the appropriate transient lodging tax, as determined by Section 4.08.010 of the code, shall be remitted to the county on a monthly basis, accompanied by any documentation or reports required by the department.]~~ Each licensee shall be subject to, and shall comply with, all provisions of Chapter 4.08 of this code, except that a license shall not be required to impose, collect and remit to the county those transient lodging taxes which are imposed, collected, and remitted by an accommodations facilitator on behalf of the licensee.
- ~~[(h)]~~ (k) State Business License. Each licensee must maintain a business license issued by State of Nevada. Both the state business license and the short-term rental license shall be prominently displayed in the short-term rental residential unit. If the state business license is suspended, revoked, non-renewed or relinquished, the short-term rental license will simultaneously and automatically be suspended, revoked, non-renewed or relinquished, as applicable, and the short-term rental license must immediately be returned to the department.
- ~~[(m)]~~ ~~[Required Payments. On or before the date and time set for payment, each licensee must pay all fees required by this chapter, all transient lodging taxes required to be paid by Section 4.08.010 of this code, the solid waste collection charges set forth in Chapter 9.04 of this code, and all fines, fees and costs imposed for any violation of this chapter.]~~
- ~~[(n)]~~ (l) Sanitation. Each licensee must supply the short-term rental unit with solid waste containers approved or provided by the solid waste franchisee of the county, which must be sufficient to accommodate the maximum occupancy of the short-term rental unit and pay the

appropriate solid waste collection charge for short-term rental units.
The licensee shall be responsible for notifying guests of trash disposal procedures.

~~[(e)]~~(m) Security Camera. Each licensee must install a functional street-facing security camera capable of recording video surveillance.

- (1) The security camera must be in continuous operation only while the property is rented.
- (2) The video surveillance footage must be kept by the licensee for no less than sixty days.

~~[(3)] [Upon request of the county or any law enforcement agency, the licensee must provide a copy of the video surveillance footage within forty-eight hours.]~~

~~[(4)]~~(3) This requirement does not apply to short-term rental units located within multifamily dwelling units that have common entrances to the residential units surveilled or monitored.

~~[(p)]~~(n) Record Keeping. Each licensee must maintain adequate and accurate books and records that provide a true accounting of all financial transactions for the three preceding years ~~[, which must remain open to inspection by the department during normal business hours or made available to the department at a location within the county for the purpose of ascertaining compliance with this code, including, but not limited to, the payment of licensing fees, transient lodging taxes, solid waste collection charges, and all fines, fees, or costs imposed for any violation of this chapter].~~

~~[(q)]~~(o) Required Placard. Each licensee shall post a placard on the exterior of the short-term rental unit in plain view of the public. The placard must be a minimum of eight and one-half inches by eleven inches in size and utilize lettering in a minimum legible font of seventy-two point or one and one-half inches in height.

- (1) The placard must display:
 - (I) The twenty-four hour complaint hotline number required by this Chapter;
 - (II) The maximum occupancy of the short-term rental unit; and
 - (III) The short-term rental license number and state business license number.
- (2) On fully fenced and gated properties, the placard must be affixed to the gate and visible from the right-of-way.

~~[(#)]~~(p) Noise Monitoring Devices. Each licensee must install noise monitoring devices at each property line in both the front and rear yard of the short-term rental unit, as well as in the vicinity of any outdoor pool or spa.

(1) The noise monitoring device must be capable of measuring noise decibels and sending real-time alerts to the licensee, property manager, or local representative when noise levels exceed the acceptable level under this code. The noise monitoring device must comply with all laws, rules and regulations regarding privacy.

(2) The noise monitoring devices must be in continuous operation only while the property is rented and alert the licensee or the local representative when sustained noise levels exceed the noise standards set forth in this chapter.

~~[(#)]~~(3) Noise level data shall be maintained by the licensee for no less than sixty days.

~~[(#)]~~ ~~[(3)]~~ ~~[Upon request of the county or any law enforcement agency, the licensee must provide the noise level data within forty eight hours.]~~

(4) This requirement does not apply to short-term rental units located within multifamily dwelling units that have common entrances to the residential units surveilled or monitored.

~~[(#)]~~(q) Advertising.

(1) The licensee shall include the following information in any advertisement for the short-term rental unit:

(I) The short-term rental license number and the state business license number.

(II) The permitted maximum occupancy of the short-term rental unit.

(III) The minimum number of nights that the short-term rental unit may be booked.

(IV) An advisement that the short-term rental unit may not be used to hold a party.

(2) The licensee shall not:

(I) Post any sign advertising the availability of the residential unit for transient lodging in or on any exterior area of the residential unit, any exterior area of any other structure on

the same lot, or on the lot on which the residential unit is located;

- (II) Use any advertising material that contains any assertion, representation or statement of fact which is untrue, deceptive, or misleading.

~~(t)~~(r) Subpoenas. Each licensee shall produce all books, papers, or documents subpoenaed within the time required by this chapter.

~~(t)~~(s) Duty to Comply with all Applicable Laws. Each licensee must comply with all provisions of this code and state law, including state or county regulations, applicable to the residential unit and to the operation of the residential unit for the purpose of transient lodging.

SECTION 10. Title 7, Chapter 7.100, Section 7.100.180 of the Clark

County Code is hereby amended as follows:

7.100.180 Prohibited conduct.

- (a) No short-term rental unit may be used for any purpose other than for dwelling, lodging, or sleeping and for activities that are incidental to its use for dwelling, lodging or sleeping.
- (b) Any party, as defined in Section 7.100.020(n), is prohibited in a short-term rental unit. The prohibition on parties in this section, however, does not apply to private guests of the owner in owner-occupied residential units unrelated to any short-term rental unit booking.
- (c) Noise Standards. The noise standards established in ~~[Title 30.68.020]~~ Section 30.04.07(D) of this code shall be applied to all short-term rental units and furthermore:
 - (1) The use of any radio receiver, stereo, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound shall be permitted only within an enclosed short-term rental unit;
 - (2) During the hours of 10:00 p.m. to 7:00 a.m., the use of outdoor amenities, such as pools, spas, barbecues, and firepits, is prohibited.
- (d) Lighting Standards. The licensee shall ensure compliance with county lighting standards established in ~~[Title 30.68.030]~~ Section 30.04.07(B) of this code and shall prohibit the use of all rear and side yard outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m., with the exception of motion-sensitive outdoor security lighting.

- ~~[(e)] [Air Quality Standards. The licensee shall ensure compliance with air quality standards provided in Section 40 of the Clark County Air Quality Regulations ("Prohibition of Nuisance Conditions") and Title 30 of this code.]~~
- ~~[(f)] [Hazardous Materials Standards. The licensee shall ensure compliance with county hazardous materials standards established in Title 30 of this code.]~~
- ~~[(g)]~~[e] Parking. Vehicles must utilize all residential on-site parking before utilizing street parking. All vehicles shall be parked in accordance with all applicable laws and regulations.
- ~~[(h)]~~[f] Trash. Trash and refuse shall not be left or stored in public view, except in proper solid waste containers provided in accordance with this chapter on the day specified for solid waste collection.

SECTION 11. Title 7, Chapter 7.100, Section 7.100.200 of the Clark County Code is hereby amended as follows:

7.100.200 Powers of the county.

- (a) Emergency Powers.
- (1) Any department, board or agency of the County may take immediate action when necessary to address emergencies or urgent complaints regarding public peace, health, safety, order or welfare, without first notifying the licensee, local representative, or property owner, and without first issuing a written notice of violation or citation.
 - (2) Emergency Suspension or Limitation of License by the Department. In an emergency, the department may issue a written order for immediate suspension or limitation of a short-term rental license issued pursuant to this chapter. The emergency order shall state the reason for suspension or limitation and shall afford the licensee a hearing before the hearing officer, who after a hearing, may suspend the license for specific time or until compliance with a specific requirement has been accomplished, or may condition, restrict or revoke the license.
 - (3) Emergency Suspension of License by the Sheriff. The sheriff or the authorized designee of the sheriff, in an emergency, for cause, or upon code violation of specific acts which endanger the public welfare; and finding that such suspension is necessary for the immediate preservation of the public peace, health, safety, morals, good order or public welfare, may suspend any short-

term rental license for a period not to exceed eight consecutive hours. The emergency order shall state the reason for suspension or limitation and shall afford the licensee a hearing before the hearing officer, who after a hearing, may suspend the license for specific time or until compliance with a specific requirement has been accomplished, or may condition, restrict or revoke the license.

- (b) Random Inspections. To ensure compliance with this code and to provide for the public peace, health, safety, order, and welfare, at any time after the issuance of a short-term rental license, the department shall have the power and authority to at any time require an inspection of a short-term rental unit in accordance with the procedures set forth in Section 7.100.100~~[(h)]~~.

- (c) The department shall have all power and authority provided in Chapter 4.08 of this code to enforce the collection of combined transient lodging taxes. ~~[Records and Audits of Records. For the purpose of ascertaining compliance with this code, including, but not limited to, the payment of licensing fees, transient lodging taxes, solid waste collection charges, and all fines, fees, or costs imposed for any violation of this chapter, the department may:~~

- ~~(1) Demand that the licensee produce or make available all records required by this chapter during normal business hours or at a location within the county; and~~
- ~~(2) Conduct an audit of the financial statements and operations of the business.~~

~~The information received from the licensee under the provisions of this section shall be deemed confidential and available only to those county officials concerned in such matters.]~~

- (d) Subpoena Power. Any person authorized to prepare, sign and serve written citations on persons accused of violating a county ordinance may issue subpoenas for the production of documents, records or materials relevant for determining whether a residential unit or a room within such a residential unit in Clark County has been rented in violation of any law of this state or of the Clark County Code.

- (1) The subpoena may be issued only if:

- (I) There is evidence sufficient to support a reasonable belief that a residential unit or a room within such a residential unit in Clark County has been rented or is being rented in violation of any law of this state or of the Clark County Code; and

- (II) The subpoena identifies the rental alleged to be in violation of any law of the state or of the Clark County Code, and the provision of law or code allegedly violated.
- (2) A subpoena issued pursuant to this chapter must be mailed by regular and certified mail to the licensee ~~[or person who was required to file a monthly report regarding the rental pursuant to the Clark County Code]~~.
- (3) Upon receipt of the subpoena, the recipient must produce any subpoenaed books, papers or documents not later than twenty-one (21) calendar days, unless otherwise ordered by a court.
- (4) If a person to whom a subpoena has been issued pursuant to this chapter refuses to produce any document, record or material that the subpoena requires, the district attorney may apply to the district court for the enforcement of a subpoena in a civil action.

SECTION 12. Title 7, Chapter 7.100, Section 7.100.210 of the Clark County Code is hereby amended as follows:

7.100.210 Suspension or revocation of short-term rental license.

In addition to the conditions for suspension or revocation of a ~~[short term rental]~~ business license set forth in Section 6.04.090 of this code, a short-term rental business license may be suspended or revoked for any violation of this chapter. The hearing process described in Section 6.04.100 of this code shall govern any action taken by the department to suspend or revoke any short-term rental license issued pursuant to this chapter.

SECTION 13. Title 7, Chapter 7.100, Section 7.100.230 of the Clark County Code is hereby amended as follows:

7.100.230 Enforcement actions.

- ~~[(a)] [It is prohibited for any person to violate any provision of this chapter.]~~
- ~~[(b)] [Any person in violation of this chapter shall be subject to the penalties and remedies set forth herein. The penalties and remedies shall be cumulative and may be exercised in any order or combination and at any time.]~~
- ~~[(e)]~~(a) Notice of Violation. Any person, firm or corporation in violation of this chapter may be issued a written notice of violation setting forth ~~[by any person authorized to prepare, sign and serve written citations on persons accused of violating a county ordinance.]~~

~~[(1)]-[The written notice shall clearly set forth]~~ the nature of the violation(s), the required action(s) to correct the violation(s), the date by which the violation(s) must be corrected, and that the failure to take corrective action in accordance with the written notice may result in the issuance of a citation imposing civil or criminal penalties ~~[and/or the suspension or revocation of the short-term rental license, if applicable.]~~

~~[(2)] [A written notice of violation alleging the operation of a residential rental unit or room within a residential unit for the purpose of transient lodging without holding a valid unexpired short-term rental license must be issued to the property owner.]~~

~~[(d)]~~(b) ~~[Administrative Citation]~~ Civil Penalty. Any person, firm or corporation in violation of this chapter may be issued a civil penalty in accordance with Chapter 1.14 or Section 6.04.140 of this code. ~~[administrative citation by any person authorized to prepare, sign and serve written citations on persons accused of violating a county ordinance.]~~

(1) ~~[Each administrative citation shall contain the information required by Section 1.14.020 of this code and assess a corresponding daily fine]~~ The amount of the civil penalty shall be assessed for each day the violation continues as follows:

(I) Where a person is alleged to be operating a residential unit or room within a residential unit for the purpose of transient lodging without possessing a valid unexpired short-term rental license, a fine of not less than one thousand dollars and not more than ten thousand dollars. The amount of the fine shall be determined only after taking into account, without limitation, the severity of the violation, whether the person who committed the violation acted in good faith, and any history of previous violations of the provisions of this chapter or any other chapter related to transient lodging.

(II) For all other violations, a fine equivalent to the nightly rental value of the residential unit or room within the residential unit or in accordance with the following schedule, whichever is greater:

For the first violation... \$500.00

For each subsequent violation..... \$1,000.00

(2) If the violation was corrected by the county or agent of the county, the citation may include any applicable fees and costs incurred by the county.

~~(e)~~(c) For purposes of this section:

- (1) Each violation of this chapter shall be subject to a separate fine, and fines may be assessed cumulatively in the same citation.
- (2) Where the person violating this chapter is not the owner of the property that is the subject of the violation, including without limitation a local representative, property manager, tenant or subtenant, the property owner shall also be subject to receipt of an administrative citation and the remedies and civil penalties set forth herein.
- (3) It is presumed that a residential unit or room within a residential unit is being operated as a short-term rental unit for each day that the residential unit or room within the residential unit is listed, advertised, brokered, or offered for the purpose of transient lodging.

~~(f)~~(d) Nothing in this section shall be deemed to limit the county's right to exercise any other enforcement options and remedies authorized by law, including, but not limited to:

- (1) The issuance of a misdemeanor citation to any person for any conduct deemed unlawful by this code or state law;
- (2) The right to suspend, revoke, or not renew a short-term rental license in accordance with Chapter 6.04 of this code;
- (3) Pursuant to Chapter 4.08 of this code, the right to audit the financial records and collect any unpaid combined transient lodging taxes, interest, administrative fees, and penalties;
- (4) The right to commence proceedings for the abatement of any public nuisance or chronic nuisance in accordance with applicable provisions of this code; and
- (5) The authority to petition a court of competent jurisdiction for injunctive relief or any other appropriate remedy to prevent the continued unapproved or noncompliant operation of the residential unit in violation of this chapter.

SECTION 14. Title 7, Chapter 7.100, Section 7.100.240 of the Clark

County Code is hereby repealed as follows:

~~**[7.100.240 Initial reviews and administrative hearings.**~~

~~Any person who contests the receipt of an administrative citation may request an initial review and/or an administrative hearing before a hearing officer in accordance with the provisions of this section.~~

- ~~(a) Initial Review. Any recipient of an administrative citation may request an initial review of the citation in accordance with Section 1.14.060 of this code.~~
- ~~(b) Administrative Hearing. A request for an administrative hearing must be made in accordance with Section 1.14.070 of this code.~~
 - ~~(1) The hearing shall be conducted accordance with Section 1.14.100 of this code.~~
 - ~~(2) After the hearing, the hearing officer shall issue a decision in accordance with Section 1.14.110 of this code.~~
 - ~~(3) Any person aggrieved by a decision of the hearing officer may file or cause to be filed a petition for judicial review of the hearing officer's decision in the district court as provided in Section 1.14.130 of this code.]~~

SECTION 15. Title 7, Chapter 7.100, Section 7.100.250 of the Clark County Code is hereby repealed as follows:

~~[7.100.250 Payment of fines, fees and costs.~~

~~All fines, fees, and costs assessed shall be subject to the provisions of Section 1.14.120 of this code.]~~

SECTION 16. Title 7, Chapter 7.100, Section 7.100.260 of the Clark County Code is hereby repealed as follows:

~~[7.100.260 Delivery of notices of violation and administrative citations.~~

~~Written notices of violation and administrative citations issued pursuant to this chapter shall be delivered as follows:~~

- ~~(a) Notices and citations issued to a licensee shall be sent to the licensee and the local representative by:~~
 - ~~(1) Personal service;~~
 - ~~(2) First class mail and certified mail, return receipt requested, to the most recent address(es) provided to the department, unless the licensee consents, in writing, to delivery by e-mail; or~~
 - ~~(3) Posting on the property.~~
- ~~(b) Notices and citations issued to a property owner shall be delivered to the property owner by:~~
 - ~~(1) Personal service;~~

- ~~(2) First class mail and certified mail, return receipt requested, to the property owner's address contained in the records of the Clark County Assessor; or~~
- ~~(3) Posting on the property.~~
- ~~(c) Notices and citations issued to any other person shall be delivered by:~~
- ~~(1) Personal service;~~
- ~~(2) First class mail and certified mail, return receipt requested, to any known address; or~~
- ~~(3) Posting on the property.~~
- ~~(d) Notices and citations sent in accordance with this section shall constitute actual notice of the violations contained therein. Notice of the violation shall not be deemed insufficient due to a person's failure to maintain a current address in the records of the department or the Clark County Assessor.~~
- ~~(e) The date of delivery of the notice of violation or administrative citation shall be the date the written notice or administrative citation is personally served, mailed, posted or e-mailed, as applicable.]~~

SECTION 17. Title 30, Chapter 30.03, Section 30.03.02 of the Clark County Code is hereby amended as follows:

Table 30.03-1: Summary Table of Allowed Uses

P = PERMITTED **C** = PERMITTED WITH CONDITIONS **S** = SPECIAL USE
A = ACCESSORY USE **T** = TEMPORARY USE **BLANK** = PROHIBITED

Districts	RS80	RS40	RS20	RS10	RS5.2	RS3.3	RS2	RM18	RM32	RM50	CN	CP	CG	CC	CU	CR	IP	IL	IH	AG	OS	PF
COMMERCIAL USES																						
Lodging																						
Bed and Breakfast	S	S									S											
Hotel or Motel											S		P	P	P	P	S					
Recreational Vehicle Park	S	S									S		C	C	C	S	S				S	
Resort Hotel and Rural Resort Hotel																S						
Retreat	S	S														C						
Short-Term Rental	C	C	C	C	C	C	C	C	C	C			C	C	C	C						

SECTION 18. Title 30, Chapter 30.03, Section 30.03.06(E) of the Clark County Code is hereby amended to add an additional commercial use as follows:

6. Short-Term Rental

Zoning District	RS80	RS40	RS20	RS10	RS5.2	RS3.3	RS2	RM18	RM32	RM50	CN	CP	CG	CC	CU	CR	IP	IL	IH	AG	OS	PF
Short-Term Rental	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>						

i. Location

The following standards shall not be waived or varied:

- (a) In the CG, CC, CU, and CR districts, the short-term rental use is only allowed in the multi-family dwelling component of a mixed-use development or in a dwelling permitted as a legal nonconforming use.
- (b) The use may not be located within one thousand (1,000) feet of any other short-term rental use, as measured radially in all directions from the nearest property line of the proposed short-term rental use to the nearest property line of any existing short-term rental use. This distance separation does not apply to dwelling units mapped for individual ownership within a multi-family dwelling.
- (c) The use may not be located within two thousand five hundred (2,500) feet of a resort hotel as defined in NRS 463.01865 or in Section 8.04.010.145 of this code, or from a property approved for a resort hotel pursuant to a valid special use permit, as measured radially in all directions from the nearest property line of the proposed short-term rental use to the nearest property line of the resort hotel.
- (d) This use is prohibited within a mobile or manufactured home, a multi-family dwelling licensed or operated as an apartment house pursuant to Section 6.12.090 of this code, and a timeshare or other property subject to the provisions of chapter 119A of NRS.

ii. Operation

The following standards shall not be waived or varied:

- (a) The operator must obtain a business license in accordance with Chapter 7.100 of this code.

(b) The use must comply with all operational standards set forth in Section 30.04.07 of this code.

(c) The number of off-street parking spaces provided must not be less than the minimum number of spaces for the residential use as set forth in Table 30.04-2: *Minimum Required Parking*.

SECTION 19. Title 30, Chapter 30.07, Section 30.07.02 of the Clark County Code is hereby amended to revise the definition of “Transient Commercial Use of Residential Development” as follows:

Transient Commercial Use of Residential Development

The commercial use, by any person, of any residential development, for bed and breakfast, hostel, hotel, inn, lodging, motel, resort, short-term rental, or other transient lodging uses where any individual transient guest occupies the property for 30 consecutive calendar days or less.

SECTION 20. Title 30, Chapter 30.07, Section 30.07.02 of the Clark County Code is hereby amended to add the definition of “Short-Term Rental” as follows:

Short-Term Rental

The commercial use, or the making available for commercial use, of a dwelling or room within a dwelling for the purposes of transient lodging, where any individual guest rents or occupies the dwelling or room within the dwelling for 30 consecutive calendar days or less.

SECTION 21. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 22. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 23. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the ____ day of _____, 2026.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____, 2026.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS

By: _____

MICHAEL NAFT, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2026.