



VILLAGE OF CORRALES

ORDINANCE NO. 20-005

AN ORDINANCE AMENDING ORDINANCE 19-006 REGARDING SHORT-TERM RENTALS, TO CLARIFY PARKING REQUIREMENTS, AND OCCUPANCY. APPEAL PROCESS AND PENALTIES ARE FURTHER REFINED.

WHEREAS, the Village of Corrales Governing Body approved, passed and adopted Ordinance 19-006 on December 10, 2019 which amended Sections 18-29, 32-2 and 32-6 and created a new subsection "Short Term Rentals" within Section 18-45; and

WHEREAS, it has come to the attention of staff that the amendments in Ordinance 19-006 require further clarification;

NOW, THEREFORE, BE IT ORDAINED by the Village Council, the governing body of the Village of Corrales, that:

Section 1. Amendment to Section 5 (2) of Ordinance 19-006.

Section 5 of Ordinance 19-006 is hereby amended to read as follows;

- (2) Application and Fee. Anyone wishing to engage in short-term rentals must submit a completed application. The application shall be returned to the Administrator accompanied by the appropriate application fee and must show, at a minimum:
 - (a) The maximum number of occupants and vehicles that the dwelling unit and any accessory structures can accommodate. There can be no more than six guest rooms on a residential short-term rental property and no more than two occupants per bedroom being used as short term rental. Children twelve (12) and under staying with a parent or guardian are not covered by the occupancy limit if the size of the room accommodates it and it is allowed by the owner or operator of the dwelling unit.
 - (b) A Google map or similar map showing the entire property, all roads which abut the property and at least 25 feet of adjacent properties, showing on-site parking and areas subject to the short-term rental business.
 - (c) Floorplan showing all bedrooms within the dwelling unit and any accessory structure(s) on the property.
 - (d) ~~Off-street parking as required by Section 18-39 (3) Short term rental lodging establishments.~~ Off-street parking required, with at least one parking space per bedroom on the property.

- (e) A valid septic permit for the property, showing the number of bedrooms permitted by the State to the septic system on the property.
- (f) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the owner of the property for which the permit will be issued.
- (g) The name, mailing address, email address, and contact phone numbers (including 24-hour emergency contact numbers) of the operator and the local contact person for the owner of the residential rental.
- (h) A valid New Mexico gross receipts tax number for the operator.
- (i) Short-term rental permit application fee.

Section 2. Amendment to Section 5 (6) of Ordinance 19-006, Appeal Process.

Section 5 (6) is hereby amended to read:

(6) Appeal Process.

An applicant or person who is aggrieved by the decision of the Planning and Zoning Commission may appeal the decision to the Governing Body by written notice to the Village Clerk of such appeal, to be made within ten (10) days of the date of the decision by the Planning and Zoning Commission. The matter shall be referred to the Governing Body for hearing at a regular or special meeting in the usual course of business. The decision of the Governing Body made thereof shall be expressed in writing; and the action of the Governing Body shall be deemed final.

Section 3. Amendment to Section 5 (7) of Ordinance 19-006, Penalties for violation of requirements of subsection (g) of Section 18-45.

Section 5 (7) is hereby amended to add (e):

- (a) Any person who violates any provision of subsection (g) of Section 18-45 shall, upon a first conviction, be subject to a fine of not less than \$250 nor more than \$500, or imprisonment of not more than 90 days, or both such fine and imprisonment.
- (b) Any person who violates any provision of subsection (g) of Section 18-45 shall, upon a second or subsequent conviction, be subject to a fine of \$500 or imprisonment of not more than 90 days, or both such fine and imprisonment.
- (c) Each day that a violation occurs constitutes a separate violation of Village of Corrales Municipal Code as provided for in this subsection.
- (d) The Village Code Enforcement Officer or other designated Village employee shall take action to correct the violation as provided for in the Code.
- (e) Possible Revocation of short term rental permit.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have

passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: This Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

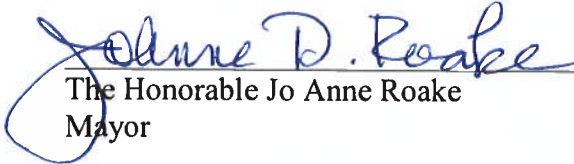
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 8th day of September, 2020.

PROPOSED CHANGES ARE SHOWN AS FOLLOWS:


New language indicated by underscoring and **red text**.

Existing language to be deleted indicated by ~~strikethrough~~.

APPROVED:


The Honorable Jo Anne Roake
Mayor

ATTEST:


Aaron Gjullin
Village Clerk
(SEAL)