



SHORT TERM RENTALS

On August 7, 2018, the Marin County Board of Supervisors adopted Ordinance 3695, which contains certain requirements for short term rentals. The ordinance defines short term rentals as a rental of residential property for a lease term of 30 days or less. Owners of short term rentals in the unincorporated areas of Marin County must obtain a business license, pay transient occupancy tax and provide the following: (1) Identification of a local contact person (2) Public notification of the rental (3) Tenant notification of county regulations. These are each discussed in more detail below.

- I. **Identification of a local contact person.** This contact person may be the property owner or a representative of the owner, such as a property manager, that will be available on short notice to address concerns that arise from the short term rental. Contact information for this person must be made available and he or she should be responsive to complaints from neighbors.
- II. **Public notification of the rental.** The main purpose of the public notification of the rental is to provide the neighbors with the contact information for the local contact person and the County short term rental hotline. There are two acceptable ways to provide this contact information to the neighbors: (1) Post a sign on the short term rental property; or (2) Post a door hanger or send a letter to surrounding properties. Before property owners obtain a new business license or renew an existing business license for a short term rental, they will need to choose one of these options, which are discussed in more detail below.

No matter which option the property owners choose, the following information is required:

- Name of Local Contact Person (person available to respond to issues)
- Phone number and email address of Local Contact Person
- Street Address of Short Term Rental
- Phone number and web address of the Marin County Short Term Rental Hotline
 - Phone Number: (415) 300-4445
 - Web Address: <https://hostcompliance.com/tips>

A. SIGNS

Those property owners that choose to post a sign for their short term rental will obtain the sign from the Marin County Department of Finance when applying for or renewing their business license. If they do not like the way the sign looks, then they can use a sign they design themselves as long as its size and font are no smaller than those of the sign provided by the Department of Finance and the sign is made of at least as durable a material.

At a minimum, the sign needs to be posted while the unit is being used as a short term rental. The sign needs to be securely placed in front of the property or unit, at a height of three to five feet above the ground or floor, in a way that it is readily visible to the public. The most appropriate location will depend on the property, but some examples are provided below.

SITUATION	BEST LOCATION
House near a street with a sidewalk	Sign mounted on front porch or garage door
House set back from street with a fence in front	Sign mounted on picket fence by gate
House set far back from street on a large lot	Sign mounted on post by driveway entrance

B. DOOR HANGERS OR LETTERS

Those property owners that choose to contact their neighbors directly instead of posting a sign may do so with either a door hanger or letter. The door hangers or letters must contain all of the required information and must be delivered to all properties within 300 feet of the property with the short term rental. When a property owner applies for a new business license or a business license renewal, they will need to provide an affidavit to the Department of Finance indicating that they have notified the neighbors. If they do not provide this affidavit, then they are required to post a sign.

- I. **Tenant Notification of County Regulations.** The owner of a short term rental needs to post “house rules” inside the rental unit or provide the tenants with a “good neighbor” brochure at the time of arrival. This information should be site specific for the property, such as indicating to the tenant where to park, how to dispose of trash, and when to lower noise. The following regulations need be addressed:

A. Loud and Unnecessary Noises (Marin County Code 6.70.030)

Between 11:00 pm and 7:00 am:

- No operation of any noise generating instrument (e.g. television, radio, loudspeaker, musical instrument) that generates noise audible 50 yards from the building.
- No yelling, shouting, whistling, or singing on public roads.

B. Garbage (Marin County Code 7.00.020)

- Garbage placed outside shall be in a suitable covered container.

C. Parking (Marin County Code 24.04.340 & 24.04.380)

- Typically, two off-street parking spaces shall be provided for each residence. However, where on street parking is limited, four off-street parking spaces are required.

D. Emergency Access (California Fire Code 503.4 & 503.2.1)

- Parking shall not obstruct roadways less than 20’ wide

Selected text from these regulations is provided below and the full text is available online.

MARIN COUNTY CODE CHAPTER 6.70 – LOUD AND UNNECESSARY NOISES

The selected code sections copied below are enforced by the Marin County Sheriff:

6.70.030 - Enumerated noises.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but this enumeration shall not be deemed to be exclusive:

(1) Horns, signaling devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any road or public place, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time;

(2) Radios, phonographs, jukeboxes, etc. Using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, juke box, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of eleven p.m. and seven a.m. in such a manner as to be plainly audible at a distance of fifty yards from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section;

(3) Loudspeakers, amplifiers, etc. Using, operating or permitting to be played, used, or operated of any musical instrument, loudspeaker, sound amplifier, or other machine or device, or combination thereof, for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or location in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such instrument, loudspeaker, sound amplifier, or other machine or device, or combination thereof, between the hours of eleven p.m. and seven a.m. in such a manner as to be plainly audible at a distance of fifty yards from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section;

(4) Yelling, shouting, etc. Yelling, shouting, hooting, whistling, or singing on public roads between the hours of eleven p.m. and seven a.m. so as to annoy or disturb the quiet, comfort, or repose of persons in any dwelling, hotel or other type of residence in the vicinity.

MARIN COUNTY CODE CHAPTER 7.00 – REFUSE DISPOSAL

The selected code section copied below is enforced by the Marin County Environmental Health Services Division Solid Waste program:

7.00.020 Uncovered garbage.

It is unlawful to place or permit to remain in any urban areas established hereunder, and garbage or any other material subject to decay other than leaves and grass, except in a suitable covered container.

MARIN COUNTY CODE CHAPTER 24.04 – IMPROVEMENTS

The selected code sections copied below are enforced by the Marin County Department of Public Works Land Development Division:

24.04.340 - Minimum required parking spaces.

For detached single-family dwellings and duplexes, two parking spaces per unit are required. Where the units are more than one hundred feet from the access street or where on-street parking is restricted or nonexistent, additional spaces may be required.

24.04.380 - Dimensional standards.

Head-in parking spaces shall be a minimum eight and one-half feet by eighteen feet. Parallel spaces shall be a minimum eight feet by twenty feet. For constrained locations such as garages serving single-family dwellings, spaces shall be a minimum nine feet by twenty feet.

CALIFORNIA FIRE CODE SECTION 503 – FIRE APPARATUS ACCESS ROADS

The selected code sections copied below are enforced by the Marin County Fire Department or the local fire protection district, as applicable:

Sub-Section 503.4

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times.

Sub-Section 503.2.1 Dimensions

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).