

# Code violations surprise SLT rental owners

By Kathryn Reed

The South Lake Tahoe City Council on Tuesday got an earful from a handful of people who are taking issue with having to make changes to their property because they are using it as a vacation rental.

Residents are being hit with unexpected bills to bring their properties up to code.

“We are in strong favor of making things safe, but when our house is suddenly expected to meet all current building codes in the name of safety and we have been misadvised on multiple occasions for what will be over \$7,000 in expenses if we have to remove this new construction and never have a hot tub again, we have a huge problem with it,” Sara Cummings said. She read the same letter Feb. 16 that she had sent to the council.

She has a house in the Bijou area that was built in the 1950s.

Building inspector Dave Walker admitted there are some lots with houses that don't conform to today's standards so it creates a conundrum. Some of these dwellings will be grandfathered in.

The discussion on Tuesday was just that – a discussion. The council agreed to have the subcommittee of Wendy David and Austin Sass work out some of the lingering issues. The topic will be brought back to the council prior to June when a more comprehensive report is expected.

Councilman Tom Davis recused himself from the discussion because of his affiliation with Tahoe Keys Resort.

The current vacation rental ordinance took effect last fall. It requires all new permittees to have their residence inspected, and for others to be inspected at the time of renewal.

Joshua Priou with Lake Tahoe Accommodations told the council the city has stepped over the line by insisting owners have a paved driveway, defensible space, drip pans on water heaters and handrails.

He was under the impression the code changes were only to deal with health and safety issues.

“Legally the building official under his license can’t ignore something that is not up to code or that is not permitted,” City Manager Nancy Kerry said.

The driveway issue is a Tahoe Regional Planning Agency rule. The bi-state regulatory agency believes parking on dirt somehow degrades lake clarity. To comply with the VHR ordinance owners must put down \$3,200 as a promise to pave next summer. It will be refundable once the work is done.

Whether taking out a VHR permit should trigger putting in a paved driveway and other erosion control policies will be items for the subcommittee to wrestle with.

Defensible space is a state mandate, though the city has not enforced it with any regularity.

Priou said the issues people are facing range from a few hundred dollars worth of upgrades to thousands of bucks.

To date there have been 380 inspections, with 73 passing on the first try. Many of the violations are for having hot tubs installed without a permit and non-compliant electrical work.

In January 2015, there were 1,549 vacation rental permits in the city limits, that increased to 1,906 in October and as of last month the number was 1,874.

One thing to come out of the new rules is that complaints are not as robust. This could be because the city has made a concerted effort to be the one receiving the call and not just the property manager, which in turn would trigger penalties. Enough infractions could lead to the permit being nullified. The threat could have made a difference in how owners screen potential renters.

“My impression is the enforcement efforts during the last year have led to people feeling more satisfied that something is being done,” Police Chief Brian Uhler told *Lake Tahoe News*. “It seems like the number of those who complain about VHRs in their neighborhood is down. With summer approaching, we expect to continue pressure to strictly enforce VHR related laws.”

Since the new ordinance took effect Oct. 1, 23 people have been cited for renting without a permit, and 41 others were reprimanded for violating the code for things like noise, trash and parking.

In a related matter, the city had planned to do an economic study regarding vacation rentals. The deadline to bid on the project just passed with no one submitting a proposal. How to go forward is another item the subcommittee will be addressing.