



**2021 ZONING APPLICATION FOR
OPERATION OF A SHORT-TERM RENTAL
IN A RESIDENTIAL ZONING DISTRICT**

Invoice #: _____

Property Owner's Name: _____ Phone/Cell: _____

Property Owner's Mailing Address: _____

Property Owner's E-mail: _____

Applicant: Same Or:

Applicant's Name: _____ Phone/Cell: _____

Applicant's Mailing Address: _____

Applicant's E-mail: _____

Note: This application is for the operation of a short-term rental. It does not cover construction, remodeling, or renovations. A separate building permit is required for those activities.

INFORMATION ON SHORT-TERM RENTAL:

Address of Short-Term Rental Unit: _____ Cody, WY 82414

Method(s) of Advertising: Airbnb Cody Lodging VRBO Other _____

Tag Line on Listing (If known): _____

Manager of Short-Term Rental: Self Other: _____

Type of Structure:

- Accessory Dwelling Unit, Detached (a.k.a. guest house)
- Single-family detached dwelling (a typical stand-alone house)
- Single-family attached dwelling (a townhouse)
- Duplex dwelling unit

Zoning of Property: (Zoning map available online [here](#))

- R-2 R-3 R-4

Type of Rental Situation Proposed:

- The dwelling is rented and the owner does not live on the property (or immediately next door).
- The dwelling is rented, while the owner lives in a different dwelling on the property (or immediately next door).
- Shared occupancy (the owner lives in the dwelling and shares the entire dwelling or portion(s) thereof with the guests).
- Isolated guest quarters in owner's house (guests stay in an isolated area of the owner's house while the owner is also living in the same house).

Occupancy:

Number of sleeping rooms (rooms authorized for sleeping): _____

Maximum guest occupancy: _____ guests

1 guest sleeping room= 3 guests

2 guest sleeping rooms= 5 guests

3 guest sleeping rooms= 8 guests

4+ guest sleeping rooms= 10 guests

Parking:

Short term rental dwellings that are occupied by both the owner and guest at the same time require one on-site guest parking space per two guest sleeping rooms, or fraction thereof.

Guest parking for the short-term rental is:

- Not Applicable.
- Provided. (If need to add parking, please contact City for requirements.)
- Legal non-conforming situation (grandfathered).

Booking Restriction: The City of Cody short-term rental regulations allow only single-bookings—where a single group rents the entire short-term rental. It is a violation of the City code to offer separate bookings of individual bedrooms in short-term rental dwellings.

Owner-Occupied Restriction: Short term rentals are allowed in the R-2 and R-2MH zoning district only when the property is owner occupied. “Owner occupied” means that the property owner is living in a dwelling on the property (or immediately adjacent property) at the time the short-term rental activity takes place. If the owner is living elsewhere, even just seasonally, the dwelling cannot be used as a short-term rental during that time, if it is located in an R-2 or R-2MH zoning district. Authorized owner-occupied methods are limited to: rental of a portion of the dwelling (room rental) while the owner is also living in the dwelling; rental of an accessory dwelling unit while living in the main dwelling; rental of the main dwelling while living in the accessory dwelling unit; and, rental of a dwelling while living on a lot immediately next door. Long-term rental (30 days or more) does not have the owner-occupancy requirement.

Inspection Required:

The dwelling must be inspected for compliance with the short-term rental requirements of the City of Cody Code prior to operation. Please review the attached Inspection Checklist and make necessary modifications in preparation for the City inspection. Then call the Community Development Department at (307) 527-3469 to schedule an inspection. Approved facilities will be issued a Certificate of Compliance, which must be posted in the short-term rental.

Application Fee: A \$25 application fee is required and must be paid to the City of Cody when submitting the application.

I certify that this application for _____ (street address of short-term rental) accurately reflects the proposed short-term rental situation, and that the short-term rental will be operated in accordance with the zoning requirements of the City of Cody code (attached).

Signature of Owner or Authorized Representative: _____
Signature *Date*

Printed Name: _____

Note: If the short-term rental is located in an R-2 or R-2MH zone, the above certification must be completed by the property owner.

Insurance Notice: A typical homeowner’s insurance policy does not cover use of a property for short-term rental activities. Many commercial insurance policies do not cover short-term rental activities. Please contact your insurance provider to discuss the insurance needs for use of the property as a short-term (vacation) rental. If they do not provide insurance for short term rentals, there are companies that specialize in such policies.

Lodging & Sales Tax Notice: Short-term rentals are classified as lodging facilities by the State. The owner of the short-term rental is responsible to be sure lodging and sales taxes are paid. Some listing companies collect and pay lodging and sales tax for you. If your listing company does not, then you must register your business with the WY Department of Revenue and pay lodging and sales tax as required (see WY Dept. of Revenue website). The required State Sales Tax ID# is obtained by completing a WY Department of Revenue application, which you can access here: <http://revenue.wyo.gov/Excise-Tax-Division/sales-and-use-tax-license-applications-forms> (select "[Sales and Use Tax License Application](#)").

City of Cody Code 10-8-2(S), Short-term rental.

1. Authorized owner-occupied methods of short-term rental are limited to:
 - a. Rental of a portion of the owner's dwelling (room rental), while the owner is living in the dwelling.
 - b. Rental of an accessory dwelling unit while the owner is living in the main dwelling.
 - c. Rental of the main dwelling while the owner is living in the accessory dwelling unit.
 - d. Rental of a dwelling while the owner is living on a lot immediately next door.
2. Within the residential zoning districts, the short-term rental may be operated out of any form of dwelling except a multi-family dwelling. In addition, short-term rental shall not be offered by a renter of the property - i.e., a sublet situation.
3. Occupancy of a dwelling used for short-term rental is limited to the lesser of 2.6 guests per guest sleeping room (total rounded to nearest whole number) or a total of ten (10) guests. In addition, short-term rental dwellings shall only be rented to only one (1) group at any one (1) time - a single booking. Separate dwellings on a property may be booked individually.
4. Use or conversion of an existing dwelling to an owner-occupied short-term rental shall require one (1) off-street guest parking space meeting the requirements of [chapter 16](#), "Off Street Parking", of this title for every two (2) guest sleeping rooms or fraction thereof, unless otherwise exempted or authorized by this title. The guest parking shall be in addition to the spaces required for the owners. A non-owner-occupied short-term rental does not require additional parking to be provided.
5. Prior to use of the dwelling as a short-term rental, the dwelling shall be inspected for fire and life safety items. At a minimum, the short-term rental shall be equipped with functional smoke detectors, a fire extinguisher (minimum rating 2A10BC), and a carbon monoxide alarm if applicable. Each sleeping room shall be provided with Code compliant means of egress. The authority having jurisdiction (i.e., Fire Marshal and/or Building Official) may have additional requirements pursuant to the adopted Fire and/or Building Code. Notwithstanding the above, short-term rentals existing at the date of adoption of this provision shall have until June 30, 2017, to obtain their inspection and until December 31, 2017, to correct any fire and life safety items; no short-term rental activity shall occur if the dwelling is not in compliance with these deadlines.
6. Short-term rentals are classified as lodging facilities by the State. As such, the owner of the short-term rental must register the lodging facility business with the WY Department of Revenue and pay lodging tax as required.
7. All short-term rental facilities, whether existing or proposed, shall register with the City of Cody, provide evidence of compliance with this use, and pass the fire/safety inspection. The Community Development Department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance.

2021 SHORT TERM RENTAL INSPECTION CHECKLIST



- | <u>Yes</u> | <u>No</u> | |
|--------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the address number posted and visible using minimum 4" tall numbers on a contrasting background? |
| <input type="checkbox"/> | <input type="checkbox"/> | Do egress/exit routes comply with applicable codes? (e.g. stairs, handrail) |
| <input type="checkbox"/> | <input type="checkbox"/> | Do egress/exit doors open from the inside without the use of a key, tool, or special knowledge? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are required egress windows (bedroom windows) operable? And meet minimum size? (Minimum 5 sq. ft. <u>opening</u> when located on main floor or basement, 5.7 sq. ft. on 2 nd floor, <u>and</u> minimum opening width of 20 inches and minimum opening height of 24 in.) |
| <input type="checkbox"/> | <input type="checkbox"/> | Are smoke detectors located where required by code and operable? (Generally, one in each sleeping room, one outside bedroom area – but not in close proximity to cooking appliances. See installation instructions.) |
| <input type="checkbox"/> | <input type="checkbox"/> | If a carbon monoxide alarm is required by code, is it installed and functional? (Required if dwelling has a fuel burning appliance or attached garage. One detector each level – see installation instructions.) |
| <input type="checkbox"/> | <input type="checkbox"/> | Is a fire extinguisher, with a minimum rating of 2-A:10-B:C, provided and either directly visible or in a labeled location? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is there proper access to the electrical panel? (Typically requires clear space 30" wide, 36" in depth, and 78" in height in front of panel.) |
| <input type="checkbox"/> | <input type="checkbox"/> | If any extension cords are in use, are they used in a compliant manner – used only for portable appliances, and unplugged when not in use? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are combustibles kept away from heat sources, including hot water heater, furnace, and fireplace? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the dryer vent system free of hazards/obstructions? |
| <input type="checkbox"/> | <input type="checkbox"/> | Emergency contact numbers ("IN CASE OF EMERGENCY DIAL 911") posted? |

Recommended items:

- Keep a functional flashlight in every sleeping area.
- Install/Turn on a porch light for arriving guests.
- Keep poisonous, caustic, and flammable chemicals in secure cabinets and away from ignition sources.
- Change smoke detectors as recommended by manufacturer (typically after 10 years).
- Install interconnected smoke detectors. Wireless detectors are now available.
- Change outlets located within six feet of wet areas to GFCI protection. (e.g. bathrooms and kitchen counters).
- Post owner/manager emergency contact information.
- Have a fire extinguisher on each level.
- Maintain proper insurance coverage – homeowner's doesn't cover short term rental.

Address: _____ Inspector: _____ Date of Inspection: _____