

**SUMMARY OF REQUIREMENTS FOR SHORT-TERM RENTAL PERMITS
PER ORDINANCE NO. 316-2020**

Short-term rental property (STR) defined: Any real property that is rented to a member of the public by a property owner where the renter has not manifested an intent to make the dwelling unit a residence or household. Short-term rental property does not include owner/management occupied property where all meals are prepared for guests and provided for them, also known as a Bed and Breakfast (BnB), and does not include hotels and motels.

All persons owning real property within Doña Ana County with the intent of using that property as a short-term rental must obtain a business registration certificate from the Doña Ana County Clerk and obtain a permit from the Doña Ana County Community Development Department (hereinafter “CDD”) and agree to provide the following:

- 1) The permit obtained from CDD must be posted in a prominent window facing the road in front of property and be visible from the road at all times. There is a one-time \$50 permit fee in addition to an annual business registration of \$35. A New Mexico State Tax BTN number associated with the short-term rental business is required for the business registration.
- 2) Proof of insurance shall be required at the time of registration of the property with CDD and at any other time as requested by the County. Property insurance to cover both the building and personal belongs and a minimum of \$1 Million liability insurance.
- 3) Provide off-street parking onsite via garages, parking shelters, or driveway space. If off-street parking is not possible, the property owner shall advise the renters of appropriate parking locations that do not affect traffic, roadways, or the peaceful enjoyment of the area by adjacent residents.
- 4) Smoke detector installations and appropriate entrance/egress identification shall be provide (via a map on the wall or the back of the door at each egress).
- 5) One currently serviced fire extinguisher must be placed within 10 feet of any kitchen or indoor cooking area.
- 6) The total number of persons occupying a short-term rental unit may not be more than twice the number of beds plus sleeping sofas on the premises. Person under the age of eighteen (18) must be accompanied by an adult at all times.
- 7) Noise or other disturbance in or outside the short-term rental is prohibited according to the County Noise Ordinance, Chapter 261 of the Code of Doña Ana County.
- 8) Shall not be used for gatherings of more than ten (10) additional persons above the allowed number of renters (including children) or be a venue for large gatherings of more than twice the limit of the number of renters allowed, whichever is less.
- 9) Within ten (10) days of the issuance the short-term rental permit, the property owner shall, for informational purposes only, mail to all other property owners within 200 feet of the property notice of the issuance of a short-term rental property license. The name and phone number of the owner/operator/agent who will be available twenty-four (24) hours a day/seven (7) days a week to respond to any complaints regarding the operation or occupancy of the short-term rental shall be provided in the notice.
- 10) Within ten (10) days of the mailing, the property owner shall provide CDD with a copy of the notice and a statement that includes a list of the property owners to whom the notice was mailed. Failure of the property owner to comply with these provisions shall result in a temporary suspension of the short-term rental permit until such requirements are met.
- 11) Once the STR is approved and open for business, a 5% Lodgers Tax shall be charged to Vendees and paid by the Vendor to the County on a monthly or quarterly basis.
- 12) CDD, Codes Enforcement Officers and the Doña Ana County Sheriff's Department shall have authority to document, cite, and prosecute all alleged violations of this ordinance and to pursue enforcement through any court of competent jurisdiction.