



City Planning and Development

Short Term Rental

Building Code Frequently Asked Questions

REGISTRATION DISCLAIMER:

Registration of a Short Term Rental unit does not imply approval of the use of any dwelling unit and/or sleeping room that was not constructed under the approval of a building permit and Certificate of Occupancy. The owner and operator remain fully responsible for compliance to the City's adopted Building and Fire Codes.

SMOKE ALARM / CARBON MONOXIDE ALARM LOCATION:

All STR applicants shall certify that smoke alarms and carbon monoxide alarms have been installed and will be maintained in all locations as required by the Building Code.

Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and habitable attics (but not including crawl spaces and uninhabitable attics).

R315.1 Carbon monoxide alarms shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed, and in dwelling units that have attached garages.

Smoke and CO alarms installed for Short Term Rental registration may be battery-powered or AC-powered (newly-installed AC-powered alarms shall have battery-backup).

BUILDING CODE REQUIREMENTS:

When does a short-term rental (STR) use trigger a building code evaluation and potential upgrades?

1. The dwelling unit is rented to only ONE renting entity (group or family)

A single family house, duplex unit, or townhouse (i.e. attached single family house)

- This is allowed with no Building Code upgrades required.

Apartment or condo unit

- Where a maximum of 25% of the units in the apartment/condo building (or one unit, whichever is greater) are used for STR use, this is allowed with no Building Code upgrades required.
- If this limit is exceeded, evaluation as a hotel and a new Certificate of Occupancy are required.

2. The dwelling unit is rented to MULTIPLE renting entities (i.e. different renters renting different rooms within a single dwelling unit)

- This requires a Building Code evaluation and a new Certificate of Occupancy. Building Code upgrades may be mandated. This use is identified by the Building Code as a 'congregate living facility'.

Exception: A single-family house, in which the owner lives in common with the guests, with five or fewer guest rooms and 10 or fewer total occupants (including guests and permanent residents). This use is identified by the Building Code as a 'Lodging House'; this category may also apply to a 'Bed & Breakfast' use.

BUILDING CODE FAQ's:

Specific building code provisions provided in this document are based on the currently adopted 2012 code editions. Prior versions of the codes used for older construction may differ in specific dimensions.

What is the Building Code definition of a 'dwelling unit'?

A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

NOTICE: The creation of an additional dwelling unit (e.g. dividing a house into two units) requires a building permit and a new Certificate of Occupancy.

What minimum features are required for 'habitable space' (e.g. living rooms and bedrooms) in a dwelling unit?

There shall be at least one habitable room of minimum 120 sq. ft., with other habitable rooms (including bedrooms) having minimum 70 sq. ft. Each living room/bedroom shall be minimum 7 ft. in any horizontal dimension, and have ceiling height of minimum 7 ft.

At least one egress door shall be provided for each dwelling unit. The egress door shall have a minimum clear width of 32 inches (measured with the door open 90 degrees) and minimum clear height of 78 inches. The egress door shall be readily openable from inside the dwelling without the use of a key or special knowledge or effort.

Stairways in a dwelling unit shall be minimum 36 inches in width, with minimum headroom of 6 feet 8 inches. The stair shall have maximum riser height of 7-3/4 inches and minimum tread width of 10 inches.

Every sleeping room shall have an 'emergency escape and rescue opening' directly to the exterior of the building. This may be an openable window or a door.

[Exceptions: Sleeping rooms in apartment/condo buildings that:

- Are located higher than the 4th story above grade; or,*
- Are in buildings with an automatic fire sprinkler throughout and were built under the 2000 or more recent edition of the International Building Code.]*

The 'emergency escape and rescue opening' opening shall meet all of the following:

- have a minimum net clear opening of 5.7 square feet (5 square feet if located at grade).*
- have a minimum net clear opening height of 24 inches and a minimum net clear opening width of 20 inches.*
- be not more than 44 inches from the finished floor to the bottom of the clear opening.*
- be openable from the inside of the room without the use of keys, tools, or special knowledge.*