



# City of Fayetteville, Arkansas

113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

## Legislation Text

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**File #:** 2024-94

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### **TEMPORARY SHORT-TERM RENTAL ENFORCEMENT POSITION**

A RESOLUTION TO AUTHORIZE THE ADDITION OF A TEMPORARY SHORT-TERM RENTAL CLERK POSITION IN THE DEVELOPMENT SERVICES DEPARTMENT FOR A TERM OF SIX MONTHS FOR PROACTIVE SHORT-TERM RENTAL ENFORCEMENT

**WHEREAS**, in the ongoing evaluation, implementation, and enforcement of Fayetteville's short-term rental (STR) ordinances, Council member interest was expressed for proactive enforcement of the STR ordinance's requirements and prohibitions; and

**WHEREAS**, as recently as April 30<sup>th</sup>, 2024, data provided by the City's short-term rental monitoring service, Host Compliance, found 737 STRs advertised through 1,247 listings on various platforms; and

**WHEREAS**, an estimate of 800-1,000 hours, or approximately six months, of staff time is found to be necessary to address the nearly 250 currently identified, non-compliant properties; and

**WHEREAS**, if approved, staff will finalize a job description, grade the position, and return to City Council with a budget adjustment.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes the addition of a temporary Short-Term Rental Clerk position in the Development Services Department for a term of six months for proactive short-term rental enforcement.



**MEETING OF MAY 21, 2024**

**TO:** Mayor Jordan and City Council  
**THRU:** Susan Norton, Chief of Staff  
**FROM:** Jonathan Curth, Development Services Director  
**SUBJECT:** **TEMPORARY SHORT-TERM RENTAL ENFORCEMENT POSITION**

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**RECOMMENDATION:**

City staff recommend approval of a temporary position in the Development Services Department for a term of six months for proactive short-term rental enforcement.

**BACKGROUND:**

In the ongoing evaluation, implementation, and enforcement of Fayetteville's short-term rental (STR) ordinances, Councilmember interest was expressed for proactive enforcement of the STR ordinance's requirements and prohibitions. These standards range from a life-safety inspection and tax verification to locational allowances and illegal operation. Currently, Fayetteville's STR ordinance is enforced on a complaint basis.

As recently as April 30<sup>th</sup>, 2024, data provided by the City's short-term rental monitoring service, Host Compliance, found 737 STRs advertised through 1,247 listings on various platforms. This compares with 855 STRs advertised among 1,092 listings at the same time in 2023. Of the 737 STRs, and estimated 240 are noncompliant, meaning they lack a business license and its associated reviews and inspection.

**DISCUSSION:**

In evaluating the potential for proactive STR enforcement, staff assessed recent STR investigation timelines, which includes the following elements:

- Field complaints/concerns
- Identify and confirm illegally-operating properties
- Coordinate cross-divisionally/departamentally
- Draft and issue violation letters
- Evaluate if illegal activity ceased
- Schedule hearings for those protesting violation/water shut-offs
- Hold hearings
- Track water shut-offs
- Evaluate if illegal activity ceased
- Water reconnects

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Ultimately, an estimate of 800-1,000 hours, or approximately six months, of staff time is found to be necessary to address the nearly 250 currently identified, non-compliant properties. At the conclusion of the position's six month term, staff anticipates existing positions and capacity will be capable of handling new violations and non-compliant properties moving forward.

Per the attached New Personnel Request Form, the proposed position has an associated cost of \$40,532, including equipment and benefits. If approved, staff will finalize a job description, grade the position, and return to City Council with a budget adjustment.

**BUDGET/STAFF IMPACT:**

This position would be funded through the General Fund.

**ATTACHMENTS:** SRF (#3), New Personnel Request Form - Short Term Rental Clerk (#4), Short-Term Rental Clerk May 2024 - Draft (#5)

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