

South Lake Tahoe City Code

Title 6 DEVELOPMENT SERVICES Chapter 6.15 BUILDING REGULATIONS ARTICLE VIII. SINGLE ROOM OCCUPANCY (SRO) PROGRAM

§ 6.15.670. Purpose.

The purpose of this chapter is to address the shortage of decent, safe, sanitary and affordable rental housing options for low-income persons in the City. Hotels have historically provided affordable rental options of last resort for low-income persons. This ordinance enables hotels to rehabilitate units that do not meet minimum building, housing and property maintenance code standards so as to provide safe, habitable rental units for low-income persons. This ordinance establishes development, design and maintenance standards so as to preserve and enhance the quality of life for residents of the City living within such units.

§ 6.15.680. Definitions.

“Habitable floor area” includes living rooms, bedrooms, entryways and other common areas, but does not include bathrooms, kitchens, storage spaces or mechanical/electrical areas.

“Lodging Property” includes hotels, motels, bed and breakfasts, lodging houses, lodging facilities, or similar properties.

“Single Room Occupancy Property” or “SRO Property” means any building with one or more rooms which are (1) intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by tenants, which is or may be the primary residence of such tenants, or (2) intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied for periods greater than 29 days.

“SRO Unit” means any room, rooms, or units of a lodging property used for SRO property purposes.

“Transient lodging” is the use of a lodging property by guests of such lodging property who stay, sleep and/or occupy any rooms within said lodging property for 29 days or less.

§ 6.15.690. Application.

This ordinance applies to lodging properties with at least one SRO unit and does not apply to lodging properties used entirely for transient lodging purposes. Pursuant to this ordinance, all lodging properties are either required to obtain a South Lake Tahoe SRO Permit or pay the South Lake Tahoe Transient Occupancy Tax (“TOT”) based upon all gross receipts and monies collected for the letting of rooms within said lodging property.

§ 6.15.700. Transient Occupancy Tax

SRO units shall be exempt from TOT except that SRO units subject to this ordinance

but in use as transient lodging are subject to South Lake Tahoe TOT and shall comply with all TOT reporting requirements as set forth in the South Lake Tahoe City Code.

§ 6.15.710. SRO Permits.

- A. All lodging properties with SRO units shall obtain from the City of South Lake Tahoe Development Services Department, a South Lake Tahoe SRO Permit (SRO Permit).
- B. SRO Permits shall be obtained prior to use of any room, rooms or units of lodging properties for SRO purposes.
- C. Lodging properties with SRO units existing upon the effective date of this ordinance shall have until thirty (30) days after the effective date of this ordinance to submit a completed SRO Permit application. Lodging properties without existing SRO units upon the effective date of this ordinance may apply for an SRO permit at any time, but no less than thirty (30) days prior to letting SRO Units.
- D. Permit applications shall include the following properly completed forms and materials:
 1. South Lake Tahoe SRO Permit Application which shall include a development design and maintenance plan.
 2. Proof that lodging property is in compliance with its business and professions tax and TOT obligations.
- E. SRO Permits shall provide a twelve (12) month period within which permittees may complete all development, design and maintenance standards required by this ordinance. The Building Official or his or her designee (referred to herein as the Building Official) may grant extensions to this twelve (12) month period where he/she deems such extensions appropriate.

§ 6.15.720. Fees

- A. SRO Permit Fee. A one-time fee in an amount set forth by separate resolution of the City Council shall be required for the submission of all SRO Permit Applications.
- B. SRO Annual Service Fee. An annual fee in an amount set forth by separate resolution of the City Council shall be assessed for all SRO rooms. This annual service fee shall cover the operational costs of the periodic SRO health and safety inspections as set forth more fully in section 6.15.750 herein. The annual service fee shall be collected at the same time as payment of the lodging property's business and professions tax. Should the lodging property fail to timely pay its annual service fee, the City shall be permitted to recover it, plus accrued interest and penalties utilizing any and all remedies provided by law including but not limited to nuisance abatement and municipal tax lien. Failure to pay the annual service fee shall be deemed a violation of this ordinance.
- C. Re-Inspection Fee. Upon any inspection of a lodging property subject to this ordinance, the Building Official may instruct the owner of the lodging property to

perform work, take action, or refrain from action to meet the development, design, and maintenance standards set forth in this ordinance and by other applicable laws. If the Building Official determines that such work, action, or inaction has not been accomplished, the lodging property shall be assessed a re-inspection fee in an amount set forth by separate resolution of the City Council. Should the lodging property fail to timely pay said re-inspection fee, the City shall be permitted to recover it, plus accrued interest and penalties utilizing any and all remedies provided by law including but not limited to nuisance abatement and municipal tax lien. Failure to pay the re-inspection fee shall be deemed a violation of this ordinance.

§ 6.15.730. Design and Development Standards.

SRO properties shall meet the following design standards:

A. SRO Units

1. Designation. SRO property owner shall designate specific rooms as SRO units. Said designation cannot change without an amendment to SRO property's SRO permit.
2. Bathroom. Shall contain a bathroom facility, with a door for privacy, a lavatory (sink), toilet and bathtub or shower.
3. Efficiency kitchen. Efficiency kitchen facilities shall exist in each SRO unit that does not have access to a common kitchen (as set forth in section 6.15.730(B)(1), herein). Kitchens shall contain:
 - a) A refrigerator with freezer.
 - b) A two burner stove and/or cook top and/or microwave.
 - c) A kitchen or bar sink.
 - d) Countertop space of at least 30 inches.
 - e) Sufficient electrical capacity to accommodate such facilities.
4. Habitable floor area.
 - a) For a single (1) occupant a minimum habitable floor area of 120 square feet.
 - b) For two (2) occupants a minimum habitable floor area of 170 square feet.
 - c) For three (3) occupants a minimum habitable floor area of 220 square feet.
 - d) For four (4) occupants a minimum habitable floor area of 270 square feet.
 - e) The permissible number of room occupants shall be capped at no more than four (4) persons.
5. Exterior doors. Exterior doors of SRO units shall meet standards for exterior door rating.

B. SRO Properties

1. Common kitchen facilities. Shared kitchen space shall exist to serve all SRO units that do not possess a kitchen. Common kitchens shall contain:
 - a) A full size range with four stove burners and an oven.
 - b) A full size refrigerator with freezer for every six (6) SRO units.
 - c) A full size microwave oven.
 - d) A full size kitchen sink with garbage disposal.
 - e) At least 10 feet of countertop space for food preparation.
 - f) Lockable storage cabinets a minimum of 2x2x2 feet for each SRO unit that

does not possess independent kitchen facilities.

2. Trash Enclosure: An SRO property shall provide a 3-sided trash enclosure or solid screening of the dumpster from public view.
3. Sewage: All sewer units shall be verified and/or permitted by South Tahoe Public Utility District or the appropriate provider.
4. Electrical: All SRO properties shall meet electrical service requirements that comply with all applicable laws and are subject to approval of the Building Official.
5. ADA Compliance: All SRO properties that make alterations or additions shall comply with the CA Building Code, Section 11B-202 Existing Building and Facilities and Section 11B- 224 Transient Lodging and guestrooms.

C. Signage.

1. Proof of SRO permit shall be placed in a conspicuous place in the lobby or other common area of the lodging property such as a laundry room.
2. All SRO units must have an exterior placard containing the following information:
 - a) Statement that room or unit has been designated as an SRO unit
 - b) Name of hotel/motel
 - c) Address of hotel/motel
 - d) Room number
 - e) Approved number of occupants
 - f) Contact information of City Building Department to which complaints may be directed.

D. SROs shall meet all other building requirements for residential building units as set forth in the South Lake Tahoe City Code and all other applicable laws.

§ 6.15.740. Maintenance standards.

In order to avoid a substantial risk to health and safety, affected residential rental dwellings shall meet the following interior/exterior and site maintenance standards:

- A. All parking areas shall be well maintained, including striping and landscaping.
- B. All landscaped and non-landscaped areas shall be in compliance with standards set forth in the SLTCC or other applicable laws.
- C. Common kitchen areas shall be kept clean and well maintained.

§ 6.15.750. Inspections.

- A. Inspections. The Building Official may inspect all permitted SRO properties and SRO units to determine whether such facilities and units comply with conditions of approval and all other applicable laws. Inspections may be performed annually, or more frequently where the Building Official determines that

the SRO property or SRO unit poses a substantial risk to health and safety or violations of this ordinance exist.

- B. Inspection Standards. When inspections are made, SRO properties and SRO units shall be required to be in conformance with the standards in effect at the time the facility or unit was permitted, as well as any additional standards mandated by law.
- C. Notification and Access.
 - 1. A letter of intent to inspect an SRO property shall be mailed and emailed when possible, to the owner of the SRO property stating the date and time of inspection and shall provide 14 days' notice of said inspection. An inspection checklist will be mailed with the letter.
 - 2. It shall be the responsibility of the SRO property owner to notify the tenants, residents and inhabitants of the inspection. The City shall be ensured access to all SRO units and shared facilities throughout the inspection.
 - 3. In the event an owner or tenant in possession of the property to be inspected refuses access to said property, the city attorney or district attorney is authorized to obtain from a court of competent jurisdiction any warrant necessary to cause the inspection to take place.
- D. Voluntary Inspections. Nothing herein shall prevent an owner of a lodging property or a tenant, resident or inhabitant from requesting an inspection at any time for the purpose of determining whether any and all parts of the lodging property comply with this ordinance. Voluntary inspections shall not be subject to the inspection fees set forth by section 6.15.720 herein. Where violations of this ordinance are discovered during a voluntary inspection, fines shall not be assessed if said violations are corrected within three (3) months of the date of inspection.
- E. Reduced Inspections. Lodging properties with SRO unit(s) that have been permitted under this ordinance for a minimum of three (3) successive years and which have complied with all elements of this ordinance shall be eligible for reduced inspections and reduced SRO fees provided the lodging property meets the following standards and requirements set forth by the SLTCC or other agency standards:
 - 1. Defensible space standards
 - 2. Dumpster enclosures
 - 3. Landscaping and drainage standards

§ 6.15.760. Violations.

- A. Any and all violations of this ordinance shall be subject to the City's Administrative Citation procedures as set forth in SLTCC Title 2.
- B. Any/all practices intended to evade compliance with this ordinance shall be deemed a violation thereof.
- C. Residents and inhabitants of SRO units shall not be moved to another unit so as to deprive such residents, tenants and inhabitants of the rights conferred by this

Ordinance.

- D. Relocation of tenants. If any SRO unit is found to be unsafe to occupy, due to imminent danger to health and safety of the resident(s), the costs and expenses of relocation of any tenant from that unit shall be the responsibility of the owner, pursuant to the provisions of Health and Safety Code Section 17975 et seq.
- E. The following constitute violations of this ordinance:
1. Verifiable complaints of noncompliance with the standards set forth in this ordinance.
 2. Failure to obtain an SRO permit where a permit is required.
 3. Failure to pay SRO fees, TOT, and/or business and professions tax upon such fees and taxes becoming due.
 4. Permissible use of rooms and/or units in a lodging property for a period greater than 29 days without having obtained an SRO permit and without meeting the design, development and maintenance standards set forth by this ordinance.
 5. Failure to accommodate inspections authorized by this ordinance.

§ 6.15.770. Tourist Accommodation Units.

All SRO units shall remain Tourist Accommodation Units (TAUs) as set forth by TRPA's Code of Ordinances, unless converted from a TAU by regulations or means other than this ordinance.