

**ORDINANCE NO. NS-2530**

**AN ORDINANCE OF THE CITY COUNCIL AMENDING BEND MUNICIPAL CODE  
CHAPTER 7.16, SHORT-TERM RENTAL OPERATING LICENSE**

**Recitals**

- A. Bend Municipal Code (BMC), Chapter 7.16, authorizes and implements an operating license requirement for short-term rentals in the City of Bend. Short-term rentals are also regulated by the Bend Development Code (BDC), 3.6.500, which requires most short-term rentals within City limits to obtain land use approval prior to operation.
- B. In January, 2023, the Bend City Council amended the BDC, removing minimum parking requirements for short-term rentals. The code changes in this ordinance adjust the requirements for a short-term rental application to match the parking requirements in the BDC.
- C. The code changes also clarify that each short-term rental requires its own operating license, and make other changes for clarity and ease of administration.

**Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:**

- Section 1.** Chapter 7.16 of the Bend Municipal Code is amended as shown on the attached Exhibit A.
- Section 2.** If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.
- Section 5.** All other provisions of the Bend Municipal Code remain unchanged by this ordinance and remain in effect.

First Reading Date: May 21, 2025

Second Reading and adoption by roll call vote: June 4, 2025

YES: Kebler, Franzosa, Méndez, Norris, Platt, Riley

NO:

ABSTAIN: Perkins



Melanie Kebler, Mayor

ATTEST:

  
\_\_\_\_\_  
Ashley Bontje, City Recorder's Office

Approved as to form:

  
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Ian Leitheiser, City Attorney

Text in underlined typeface is proposed to be added

Text in ~~strike through~~ typeface is proposed to be deleted

## **Chapter 7.16**

### **SHORT-TERM RENTAL OPERATING LICENSE**

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**7.16.020 Definitions.**

**7.16.030 Annual Short-Term Rental Operating License Required.**

**7.16.040 Application and Fee.**

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**7.16.060 Operating License and License Renewal.**

**7.16.070 Criteria for Approval of an Operating License and Operating License Renewal.**

**7.16.080 Additional Operational Requirements.**

**7.16.090 Revocation Procedure.**

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**7.16.020 Definitions.**

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E. **Sale or transfer** means any change of ownership during the lifetime of the license holder, whether or not there is consideration, or after the death of the license holder, except a change in ownership where title is held in survivorship with a spouse or domestic partner, or transfers on the owner's death to a trust which benefits only a spouse, child(ren) or registered domestic partner for the lifetime of the spouse, child(ren) or registered domestic partner. A sale or transfer also does not mean (1) the transfer of ownership of the real property to or between the members of a limited liability company or partnership when the transfer involves the same owner(s), or (2) the transfer to a trustee, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity, if at least one owner is living at the time of transfer and retains at least a 25 percent interest in the entity. The license permit or nonconforming right shall terminate if the original owner ceases to own at least a 25 percent interest in the entity. If the owner is a corporation, the shareholders of the corporation shall be considered the owners for purposes of this section.

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### **7.16.030 Annual Short-Term Rental Operating License Required.**

No owner of property within the Bend City limits may advertise\*, offer\*, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a short-term rental operating license. A short term rental operating license is required for each dwelling unit that is allowed to be a short term rental even if located on the same lot.

\*Advertise or offer includes through any media, whether written, electronic, web-based, digital, mobile or otherwise.

### **7.16.040 Application and Fee.**

A. *Application Required.* Applications for an operating license shall be submitted as required on forms provided by the City, demonstrating the application meets the standards required by this chapter. The owner or authorized agent shall certify the following information to be true and correct:

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3. *Land Use Approval.* The PZ number of the land use approval for the short-term rental use must be submitted with the application, or exemption unless the property is exempt from such requirement under current or former Bend Development Code, or has been determined by the City to be ~~determination by CDD of a legal nonconforming use, must be submitted with the application.~~

4. *Parking.* ~~Statement that required~~ If on-site parking spaces are available provided, with a dated photo(s) submitted of interior and exterior parking spaces. A a parking diagram or a photo showing of these approved parking spaces shall also be submitted with an initial short term rental operating license application.

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6. *Use in Prior 12 Months.* Documentation as set forth in BC 7.16.070(B) that the dwelling was rented at least once in the last 12 months for existing short-term rentals (if permitted in the last 12 months), and upon each annual license renewal for existing and new short-

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term rentals, unless the hardship exemption is met as set forth in that section or a long term rental exemption has been granted as defined in 7.16.070(B)(1)(a).

7. *Good Neighbor Guidelines.* Applicants for the short-term rental operating license must review and acknowledge receipt ~~Acknowledgment of receipt and review~~ of a copy of the good neighbor guidelines. In addition, the application must include evidence that the good neighbor guidelines have been effectively relayed to short-term rental tenants, by incorporating them into the rental contract, including it in the rental booklet, posting it online, providing it in a conspicuous place in the dwelling unit, or a similar method.

8. *Listing Number.* ~~If they~~ the short-term rental will be advertised online, such as Vrbo/Airbnb/Evolve, the application must include the listing number(s), or website addresses, URLs, and account numbers where the short-term rental is to be advertised. ~~advertises (such as the Vrbo/Airbnb/rental website number, account number, URL, etc.)~~

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B. *Incomplete Application.* If a license or renewal application does not include all required materials, the application will be considered incomplete and the City will notify the applicant, by using the applicant's email address that is on file or by first class mail if no email address is provided, explaining the information required. If the applicant provides the missing required information within 30 days of the date of the notice, the application will be reviewed. If the applicant does not provide the required information, the application will be deemed withdrawn, the license voided if one has previously been issued, and the City will refund the application fee pursuant to applicable City policy.

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## **7.16.060 Operating License and License Renewal.**

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B. *Application and Renewal Application Process.* A person engaging in a short-term rental who has not yet obtained an operating license, or who is required to renew an existing operating license, shall do so as follows:

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2. *Notice.* At least 60 days prior to the due date, the City shall send notice of the need for a license or expiration of a license to the owner of any property for which an application is due as follows:

- a. For the first license required after the first effective date of this chapter, for permitted nonconforming properties, notice will be sent by first class mail to the property owner as determined by the records of Deschutes County from the most recent property tax roll assessment.

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### **7.16.070 Criteria for Approval of an Operating License and Operating License Renewal.**

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B. To receive approval, an applicant must demonstrate that all approval criteria listed below have been satisfied:

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3. *Land Use Approval.* Unless exempt in BDC 3.6.500 (C)(2), or a prior existing use as defined in BDC 3.6.500(M), the property must have an approved and issued Type I or Type II land use approval for the short-term rental use. The property has received land use approval under the current or former Development Code or is a legal nonconforming use. If the land use permit is modified under BDC 3.6.500 (such as to increase the number of bedrooms or modify parking spaces), the holder of the operating license must submit to modify the license ~~be modified~~ as well within 30 days.

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F. *Parking Diagram.* The parking diagram of the approved on-site parking spaces, if any, shall be provided to tenants and be available in a prominent location within the short-term rental dwelling.

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