

IMPARTIAL ANALYSIS OF MEASURE “ \_\_\_ ”  
PREPARED BY THE BIG BEAR LAKE CITY ATTORNEY

Measure \_\_\_ is a proposed “City of Big Bear Lake Transient Private Home Rental Ordinance” (“Initiative”). Measure \_\_\_ would repeal existing Municipal Code regulations regarding transient private home rentals (“Home Rental(s)”) and replace them with new regulations.

Existing regulations require, in part, that Home Rentals:

- obtain a City business license;
- pay the City a transient occupancy tax;
- submit to an annual City inspection;
- post contact information 24 hours a day;
- limit occupancy to 16 people;
- be maintained in a clean and sanitary condition;
- provide parking for every bedroom;
- remove snow from parking spots prior to occupation.

The proposed new regulations would require, in part, that Home Rentals:

- obtain a Conditional Use Permit (“CUP”) subject to reapplication every five years (existing Home Rentals would be allowed two years to apply after the Initiative’s passage);
- comply with provisions of the Americans with Disabilities Act (“ADA”)
- respond to a complaint within 1 hour or risk losing their CUP;
- limit occupancy to 12 people;
- prohibit their use for weddings, parties, conferences or similar events;
- remove snow from parking spaces every 8 hours;
- be inspected within 180 days of the Initiative’s passage;
- be inspected at least once a year after the initial inspection;
- bring their spas up to commercial standards;
- be patrolled by a City Code Enforcement Officer whose duty is limited to Home Rentals.

The City Attorney, at the request of the City, commissioned the firm of C.M. de Crinis & Co. Inc. (“Firm”) to provide an analysis of potential impacts of the Initiative. The Firm’s report (“Report”), which has been made public, concluded among other things that passage and full enforcement of the Initiative would likely or potentially cause:

- an estimated loss of \$1.3 to \$1.55 Million in Annual Tax Revenues;
- an increase in City code enforcement costs of between \$250,000 and \$500,000 annually;
- an increase in affordable and low cost rental housing;

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- reduced funds for infrastructure and a negative impact on bonding ability;
- lower business levels and a changing market, with possibly lower real estate prices and fewer jobs;
- fewer visitors, slower growth, less traffic, less development, and negative impact on older business areas;
- increased pressure to sell Section 1031 Exchange property or pay taxes.

There may be questions concerning the legality or enforceability of some provisions of the Initiative, including without limitation, ADA compliance, spa regulation, prohibition against parties and conferences in Home Rentals, and CUP requirements.

A “yes” vote is a vote in favor of Measure \_\_\_ and its new regulations concerning Home Rentals.

A “no” vote is a vote against Measure \_\_\_ and its new regulations concerning Home Rentals.