

City of Big Bear Lake

Civic and Performing Arts Center
39707 Big Bear Boulevard, Big Bear Lake CA 92315



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Judge rules in City's favor: McLean v. City of Big Bear Lake

BIG BEAR LAKE, CA – On July 17, 2006, U.S District Judge Stephen G. Larson dismissed the matter of McLean v. City of Big Bear Lake, ruling in the City's favor.

On June 8, James R. McLean, owner of a local bed and breakfast, filed the suit with the Federal Court, claiming the City holds his business to more stringent regulations than private home rentals which serve as short-term lodging. McLean sought a ruling that would have required the City to apply the same standards to all owners of transient lodging facilities in Big Bear Lake, including private home rentals. This case was the second legal challenge to fail within the last two years against the City's Transient Private Home Rental Ordinance (99-300).

In the court's opinion, it states "A reasonable legislator could believe that Ordinance 99-300 strikes an appropriate balance between safety and community concerns and providing revenue to a private home owner to expend his or her resources to maintain and upgrade the home. Similarly, a reasonable legislator could also conclude that owners of bed and breakfast establishments should be held to a higher standard because they are sophisticated business people when compared to the average private home owner in the community."

Approximately 18% of the City's General Fund revenue comes from Transient Occupancy Tax (TOT) from all lodging entities. This amount equates to \$1.9 million annually, fifty percent of which are monies generated from private home rentals.

The City of Big Bear Lake is a four-season resort located in the heart of the San Bernardino National Forest, approximately 30 miles northeast of San Bernardino. The City serves a population of 6,500 residents and covers a 6.95 square mile area on the west end of Big Bear Lake's south shore. Recreation is offered year-round, including skiing, boating, fishing, camping, hiking, golf and fine dining. Visit us at www.citybigbearlake.com

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