

**AN INITIATIVE MEASURE PROPOSING TO REENACT THE CITY'S EXISTING VACATION RENTAL REGULATIONS AND REENACT THE RECENTLY EXPIRED HOME SHARING REGULATIONS TO PREVENT THEIR FUTURE AMENDMENT WITHOUT SUBSEQUENT VOTER APPROVAL**

Over the last several years, the West Hollywood City Council has added Chapter 5.66 and Sections 19.36.331, 19.80.120 and 19.90.020 to the Municipal Code regarding vacation rentals and home sharing, which provide as follows:

- Except for “home sharing”, leasing, renting, offering or advertising a vacation rental to any transient (a stay of 30 consecutive days or less) is prohibited in West Hollywood.
- Hosting platforms are prohibited from booking vacation rental transactions or receiving a fee to facilitate vacation rentals, and from collecting a fee for ancillary vacation rental services, including concierge services, tours, entertainment, cleaning, property management, or maintenance of the dwelling unit, subject to certain “safe harbor” provisions.
- Until the ordinance recently expired in April 2024, “home sharing” was allowed, with a license and upon payment of applicable Transient Occupancy (Hotel) Taxes on home sharing stays as provided by the Municipal Code. Home sharing was subject to certain restrictions, including:
  - The activity is limited to renting a room or part of a room for 30 days or less while the owner/leaseholder resides in the unit during the guest’s stay;
  - The property is approved for residential use;
  - The property is not a rental unit, inclusionary housing or other income-restricted housing unit;
  - The property owner resides there as a primary residence for at least 270 days per year.
- Home sharing is also subject to certain operating requirements, such as (i) prompt response to complaints, (ii) guest information to be included on-site, (iii) safety standards such as smoke/CO detectors, prominent display of emergency exit routes, fire extinguisher equipment, occupancy and parking limits.
- Violations are subject to criminal and administrative penalties, civil remedies, reimbursement of the City’s enforcement costs including attorney’s fees and revocation/non-renewal of a home sharing business license.
- The City is authorized to subpoena documents from responsible parties, including hosting platforms, to verify compliance with these regulations.

This initiative does not alter these substantive provisions. Rather, it seeks to reenact them as an initiative measure and repeal the home sharing ordinance’s April 17, 2024 sunset. Under State

law, if this initiative secures sufficient resident voter signatures to qualify for the ballot, and if either (i) the City Council adopts this initiative as an ordinance without an election or (ii) the City Council places it on the ballot and a majority of West Hollywood voters approve it, the provisions outlined above could not be amended by a future City Council, except as provided by the initiative measure itself.

This initiative measure permits the City Council to make limited amendments without an election, provided the amendments increase, enhance or expand upon the restrictions provided therein. Otherwise, the City could not amend these provisions without subsequent majority voter approval.

/s/ Lauren Langer, City Attorney