

City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Katy Duhigg, City Clerk

Interoffice Memorandum

September 19, 2018

To: CITY COUNCIL

From: Camille Cordova, Administrative Assistant

Subject: BILL NO. R-18-49; ENACTMENT NO. R-2018-056

I hereby certify that on September 17, 2018, the Office of the City Clerk received Bill R-18-49 as signed by the president of the City Council, Ken Sanchez. Enactment No. R-2018-056 was passed at the September 5, 2018 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-18-49.

Sincerely,

Katy Duhigg
City Clerk

**CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL**

COUNCIL BILL NO. R-18-49 ENACTMENT NO. R-2018-056

SPONSORED BY: Diane G. Gibson

1 RESOLUTION
2 CREATING A TASK FORCE TO EXPLORE OPTIONS TO REGISTER AND
3 REGULATE SHORT TERM RENTALS IN THE CITY.

4 WHEREAS, a short term rental is commonly defined as a rental in a single
5 family residence or apartment of 29 days or less but is not a defined use
6 within the Integrated Development Ordinance and is currently regulated in the
7 same way that other residential uses are regulated; and

8 WHEREAS, since the advent of online short term rental websites, the
9 number of short term rentals in Albuquerque has increased significantly; and

10 WHEREAS, short term rentals are a new and increasing land use in many
11 communities across the country that many communities are working to
12 address; and

13 WHEREAS, short term rentals can bring both benefits and challenges to a
14 community; and

15 WHEREAS, short term rentals can contribute to overall economic
16 development, the local sharing economy, and support tourism; and

17 WHEREAS, short term rentals can raise concerns about noise, safety,
18 parking, and the impact on the availability and pricing of long term rentals;
19 and

20 WHEREAS, visitors who stay in hotels, motels, and bed & breakfast
21 establishments pay a six (6) percent Occupancy Tax to the City of
22 Albuquerque, but visitors who stay in short term rentals currently only pay
23 these taxes dependent on which booking platform they use; and

24 WHEREAS, the City of Albuquerque Occupancy Tax is comprised of a five
25 (5) percent Lodgers Tax and a one (1) percent Hospitality Tax that is collected
26 by the lodging establishments, and which provides revenues for advertising,

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1 publicizing, and promoting certain recreational and tourist facilities as well as
2 for the construction of such facilities; and

3 WHEREAS, a number of communities across the country, including but not
4 limited to Santa Fe, New Mexico and New Orleans, Louisiana, are looking at
5 different ways to effectively regulate and register short term rentals; and

6 WHEREAS, exploring ways to address this issue through a task force
7 comprised of members of the public and knowledgeable City staff could result
8 in recommendations on how best to establish a system to register and
9 regulate short term rentals.

10 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
11 ALBUQUERQUE:

12 Section 1. A twelve (12) member Short Term Rental Task Force is
13 established.

14 Section 2. The Task Force shall be made up of the following members:

15 A. One City staff member from the City's Planning Department
16 knowledgeable in the area of Short Term Rentals and registration fees; and

17 B. One City staff member from the City's Code Enforcement Division
18 knowledgeable in the area of residential uses, short term rentals, and
19 enforcement; and

20 C. One City staff member from the City Legal Department
21 knowledgeable in land use and zoning enforcement; and

22 D. One Staff member from each the City Council Services Department
23 and Mayor's Office; and

24 E. One City staff member from the Treasury Department knowledgeable
25 in occupancy taxes; and

26 F. One representative from the Visit ABQ that is knowledgeable in
27 lodging and tourism; and

28 G. One representative from the Real Estate industry knowledgeable in
29 short term rental properties; and

30 H. Two community members appointed by the Council with special
31 knowledge or interest in issues and community impacts associated with short
32 term rental properties; and

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1 I. Two representatives from the lodging industry, at least one of which
2 is involved with the short term rental industry.

3 Section 3. The City Council Services, Planning Department, and Code
4 Enforcement representatives will coordinate with other city officials on
5 matters related to the Building Code, Environmental Health, Solid Waste, Risk
6 Management, and with the Fire Marshall, as needed.

7 Section 4. This Task Force shall explore: a) options for registration of
8 short term rentals; b) options for regulation of short term rentals to address
9 concerns about safety, nuisance, and compatibility; c) options for the City to
10 collect appropriate registration fees and lodging taxes; and d) any other
11 relevant and helpful options relating to this issue. This Task Force shall
12 prepare a list of recommendations for potential programs or legislation that
13 could help address issues related to short term rentals in the City by no later
14 than March 1, 2019. This list of recommendations shall be made available to
15 all Councilors and the Mayor.

16 Section 5. This Task Force is a fact finding and recommending body and
17 not a final policy making body; accordingly, any meetings of this Task Force
18 are not subject to the New Mexico Open Meetings Act.

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1 PASSED AND ADOPTED THIS 5th DAY OF September, 2018
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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13 APPROVED THIS _____ DAY OF _____, 2018

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16 Bill No. R-18-49

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ATTEST:

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28 Katy Duhigg, City Clerk

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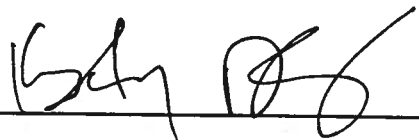
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Ken Sanchez, President
City Council

Timothy M. Keller, Mayor
City of Albuquerque



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