



**2023 ZONING APPLICATION FOR  
OPERATION OF A SHORT-TERM RENTAL  
IN A RESIDENTIAL ZONING DISTRICT**

|                     |
|---------------------|
| Invoice #:<br>_____ |
|---------------------|

Property Owner's Name: \_\_\_\_\_ Phone/Cell: \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

Property Owner's E-mail: \_\_\_\_\_

Applicant:  Same                      Or:

Applicant's Name: \_\_\_\_\_ Phone/Cell: \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

Applicant's E-mail: \_\_\_\_\_

Note: This application is for the operation of a short-term rental. It does not cover construction, remodeling, or renovations. A separate building permit is required for those activities.

**INFORMATION ON SHORT-TERM RENTAL:**

Address of Short-Term Rental Unit: \_\_\_\_\_ Cody, WY 82414

Method(s) of Advertising:  Airbnb     Cody Lodging     VRBO     Other \_\_\_\_\_

Tag Line on Listing (If known): \_\_\_\_\_

Manager of Short-Term Rental:  Self                       Other: \_\_\_\_\_

Type of Structure:

- Accessory Dwelling Unit, Detached (a.k.a. guest house)
- Single-family detached dwelling (a typical stand-alone house)
- Single-family attached dwelling (a townhouse)
- Duplex dwelling unit

Zoning of Property: (Zoning map available online [here](#))

- R-2 or R-2MH                       R-3                       R-4

Type of Rental Situation Proposed:

- The dwelling is rented and the owner does not live on the property (or immediately next door).
- The dwelling is rented, while the owner lives in a different dwelling on the property (or immediately next door).
- Shared occupancy (the owner lives in the dwelling and shares the entire dwelling or portion(s) thereof with the guests).

Occupancy:

Number of bedrooms in the rental that are available for guests: \_\_\_\_\_

Maximum guest occupancy: \_\_\_\_\_ guests (You may voluntarily specify less than the maximum noted below.)

1 guest bedroom= max. 4 guests

2 guest bedrooms= max. 6 guests

3 guest bedrooms= max. 8 guests

4+ guest bedrooms= max. 10 guests

Note: Rental listings must not advertise for more than maximum occupancy authorized.

**Parking:**

Typically, short term rentals on properties that are occupied by both the owner and guest at the same time require one on-site guest parking space per two guest sleeping rooms, or fraction thereof, in addition to parking for the owner. Guest parking for the short-term rental is:

- Not Applicable, as the property is not occupied by owner and guest at the same time.
- Provided. (If need to add parking, please contact City for requirements.)
- Legal non-conforming situation (grandfathered), or otherwise exempt.

**Booking Restriction:** The City of Cody short-term rental regulations for residential zoning districts allow only single-bookings—where a single group rents the entire short-term rental. It is a violation of the current City code to offer separate bookings of individual bedrooms in short-term rentals.

**Owner-Occupied Restriction:** Short term rentals are allowed in the R-2 and R-2MH zoning district only when the property is owner occupied. "Owner occupied" means that the property owner is living in a dwelling on the property (or an immediately adjacent property) at the time the short-term rental activity takes place. If the owner is living elsewhere, even just seasonally, the dwelling cannot be used as a short-term rental during that time, if it is located in an R-2 or R-2MH zoning district. Authorized owner-occupied methods are limited to: rental of a portion of the dwelling (room rental) while the owner is also living in the dwelling; rental of an accessory dwelling unit while living in the main dwelling; rental of the main dwelling while living in the accessory dwelling unit; and, rental of a dwelling while living in a dwelling on a lot immediately next door. Long-term rental (30 days or more) does not have the owner-occupancy requirement.

**Inspection Required:**

The dwelling must be inspected for compliance with the short-term rental requirements of the City of Cody Code prior to operation. Please review the attached Inspection Checklist and make necessary modifications in preparation for the City's inspection. Then call the Community Development Department at (307) 527-3482 to schedule an inspection. Approved facilities will be issued a Certificate, which must be posted in the short-term rental. The City's registration number for the unit will be on the certificate and is be included in all listings for the rental.

**Application Fee:** A \$100.00 application fee is required and must be paid to the City of Cody when submitting the application.

*I certify that this application for \_\_\_\_\_ (street address of short-term rental) accurately reflects the proposed short-term rental situation, and that the short-term rental will be operated in accordance with the zoning requirements of the City of Cody code (attached).*

Signature of Owner or Authorized Representative: \_\_\_\_\_  
*Signature* *Date*

Printed Name: \_\_\_\_\_

**Note: If the short-term rental is located in an R-2 or R-2MH zone, the above certification must be completed by the property owner.**

### **Inspection Checklist:**

- | <u>Yes</u>               | <u>No</u>                |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | A fire extinguisher is provided (minimum rating of 2-A:10-B:C), which is fully charged, not expired, and either directly visible or in a labeled location.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Smoke detectors and carbon monoxide alarms are located where required by code and operable.  |
| <input type="checkbox"/> | <input type="checkbox"/> | The address number is posted and visible from the street, using minimum 4" tall numbers on a contrasting background.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Access in/out of the facility including the stairs, walks, doors, and handrails are free from hazards and in good working order.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Each guest bedroom is provided with an emergency escape and rescue opening that complies with sections R310.1, R310.2, R310.3 and R310.4 of the <a href="#">International Residential Code</a> and is fully operable. (A.K.A. egress window)                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | There is clear access to the electrical panel.   |
| <input type="checkbox"/> | <input type="checkbox"/> | No fire hazards are observed (e.g. combustibles are kept away from heat sources including the water heater, furnace, fireplace, and stove; extension cords and outlet strips are used in a compliant manner; dryer vent is free from obstruction; no exposed electrical wiring). |
| <input type="checkbox"/> | <input type="checkbox"/> | Emergency contact numbers are posted, including the manager's number and "IN CASE OF EMERGENCY DIAL 911".  |
| <input type="checkbox"/> | <input type="checkbox"/> | If located in an R-2 or R-2MH zoning district, the property with the short-term rental is owner occupied. (If not applicable, mark this box <input type="checkbox"/> .)  |

**Insurance Notice:** A typical homeowner's insurance policy does not cover use of a property for short-term rental activities. Many commercial insurance policies do not cover short-term rental activities. Please contact your insurance provider to discuss the insurance needs for use of the property as a short-term (vacation) rental. If they do not provide insurance for short term rentals, there are companies that specialize in such policies.

**Lodging & Sales Tax Notice:** Short-term rentals are classified as lodging facilities by the State. The owner of the short-term rental is responsible to be sure lodging and sales taxes are paid. Many listing companies collect and pay lodging and sales tax for you. If your listing company does not, then you must register your business with the WY Department of Revenue and pay lodging and sales tax as required (see WY Dept. of Revenue website). The required State Sales Tax ID# is obtained by completing a WY Department of Revenue application, which you can access here: <http://revenue.wyo.gov/Excise-Tax-Division/sales-and-use-tax-license-applications-forms> (select "[Sales and Use Tax License Application](#)").

### **City of Cody Code 10-8-2(S), Short-term rental:**

1. Authorized owner-occupied methods of short-term rental are limited to:
  - a. Rental of a portion of the owner's dwelling (room rental), while the owner is living in the dwelling.
  - b. Rental of an accessory dwelling unit while the owner is living in the main dwelling.
  - c. Rental of the main dwelling while the owner is living in the accessory dwelling unit.
  - d. Rental of a dwelling while the owner is living in a dwelling on a lot immediately next door (i.e. not separated by a street, rear alley, or intervening parcel).

2. Within the residential zoning districts, the short-term rental may be operated out of any form of dwelling except a multi-family dwelling. In addition, short-term rental shall not be offered by a renter of the property - i.e., a sublet situation.
3. Occupancy of a dwelling used for short-term rental is limited based on the number of bedrooms available for guests as follows: rentals with one guest bedroom are limited to four (4) guests; rentals with two guest bedrooms are limited to six (6) guests; rentals with three guest bedrooms are limited to 8 guests, and rentals with four or more guest bedrooms are limited to 10 guests. Guest sleeping in a living room, family room, or sun room is not prohibited by this requirement (e.g. use of sofa bed or air mattress), provided required emergency escape openings are provided, but guest occupancy is based on number of bedrooms only. In addition, short-term rental dwellings shall only be rented to only one (1) group at any one (1) time - a single booking. Separate dwellings on a property may be booked individually.
4. Use or conversion of an existing dwelling to an owner-occupied short-term rental shall require one (1) off-street guest parking space meeting the requirements of chapter 16, "Off Street Parking", of this title for every two (2) guest sleeping rooms or fraction thereof, unless otherwise exempted or authorized by this title. The guest parking shall be in addition to the spaces required for the owners. A non-owner-occupied short-term rental does not require additional parking to be provided.
5. Prior to use of the dwelling as a short-term rental, the dwelling shall be inspected for fire and life safety items, which inspection includes verification of the following.
  - a. Smoke detectors located where required by code and operable;
  - b. A fire extinguisher (minimum rating 2A10BC) located in a clearly visible or labeled location;
  - c. Carbon monoxide alarm(s) where required by code and operable;
  - d. The address number is posted and visible using 4" tall or larger numbers on a contrasting background;
  - e. Access in/out of the facility complies with applicable codes (e.g. stairs, handrails);
  - f. Proper access to the electrical panel is provided;
  - g. No fire hazards are observed (e.g. combustibles are kept away from heat sources, extension cords and outlet strips are used in a compliant manner, dryer vent is free from obstruction, no exposed electrical wiring);
  - h. Each sleeping room is provided with an emergency escape and rescue opening that complies with sections R310.1, R310.2, R310.3 and R310.4 of the International Residential Code; and,
  - i. Emergency contact numbers are clearly posted (manager and 911).
6. The facility is to be inspected for the above items at least annually. Upon any change of ownership and on every third year after the initial inspection, the facility must be reinspected by the City and pass inspection. In the other years, the owner or manager is to perform the inspection.
7. Short-term rentals are classified as lodging facilities by the State. As such, the owner of the short-term rental must register the lodging facility business with the WY Department of Revenue and pay lodging tax as required.
8. Prior to initial operation and annually by May 1<sup>st</sup> thereafter, all short-term rental facilities shall register with the City of Cody, provide evidence of compliance with this section, and pass the fire and life safety inspection. The Community Development Department is authorized to create application form(s) and procedures as necessary to manage and enforce these provisions, both for the initial authorization and for ongoing compliance. Payment of an application fee is required pursuant to the City's adopted fee schedule. A late fee, also as specified in the adopted fee schedule, may also be assessed to owners of short-term rentals that fail to register and pass inspection before making the short-term rental available for initial use, or that do not complete their annual renewal by May 1<sup>st</sup> of each year that the rental is in operation. Authorized short-term rental facilities shall have a certificate issued by the City of Cody identifying such authorization posted within the unit, and commencing May 1, 2023 and continuing thereafter, must include the City registration number for the unit in all online listing(s). The certificate expires at the end of May 1<sup>st</sup> following the year in which the certificate was issued.