

# ALTO LAKES SPECIAL ZONING DISTRICT

## SHORT TERM RENTAL PERMIT APPLICATION

### PROCESS

[WWW.NMALSZD.COM](http://WWW.NMALSZD.COM)

#### **Overview:**

All properties used as a Short Term Rental, (STR) **MUST** be permitted by Alto Lakes Special Zoning District, **NO EXCEPTIONS**. Non-compliance will result in Violation/Red Tag that carries fines/fees and code enforcement action.

**Short Term Rental is defined as follows:** One or more dwelling unit(s), including either a single family detached, or multiple family attached unit, located with the ALSZD, which are rented for a period of not less than one (1) night and not more than twenty-nine (29) consecutive days to the same person(s).

Short Term Rentals are not commercial , but strictly a residential use of the property under the ALSZD ordinance.

Full ordinance and application forms may be found on our website, [www.nmalszd.com](http://www.nmalszd.com) Also, refer to any and all Resolutions that are posted on our website under Published Documents.

#### **Process:**

ALSZD Short Term Rental Application forms may be obtained on our website, [www.nmalszd.com](http://www.nmalszd.com) Short Term Rental permits are issued to the owner of property and are valid for a period of two (2) years, check current Fee Schedule for permit fees.

You must obtain a Compliance Certificate which is valid for one (1) year, check the current Fee Schedule for inspection fee. The Short Term Rental Permit and Compliance Certificate are not transferable or refundable.

The Short Term Rental Application must be completed by the property owner or representative. Be advised, if the owner of the property obtains a property management, agent or representative of any type, the Short Term Rental Permit Owner's Representative form must be completed and notarized and submitted with all other necessary documents.

You must contact ALSZD via email, [info.alszd@gmail.com](mailto:info.alszd@gmail.com) and request your Short Term Rental Permit and Compliance Inspection and include all the necessary documentation to obtain the STR permit and Compliance Certificate. We will respond within 48 hours of your request with the next steps and/or request for any necessary additional information that may be required and/or a scheduled appointment at the property. Checks should be made payable to ALSZD, we do NOT accept credit cards. Payment is required at the time of appointment/inspection.

You must complete the Short Term Rental Application and Owner's Representative (if applicable). You must complete the Compliance Inspection Application and all procedures and processes necessary. You must also obtain a Lodger's Tax Certificate from the county, these are renewed annually.

You must notify any and all neighboring property owners within 200 feet of the property you are requesting a Short Term Rental Permit for via certified mail. You will need to submit the proof (slips from post office) that the letter(s) were mailed to the neighboring owner(s). The letter will need to include your name, the property address and your contact information (phone number and email) or property management's contact information. You will also need to include the 24 hour **LOCAL/EMERGENCY** contact information (this is defined as an individual(s) that can be at the subject property within one (1) hour or less). In the letter state your intent to utilize your property as a nightly/short term rental.

#### **A. Definitions:**

1. Local contact person, property manager or representative who lives in the immediate area and is available within one (1) hour or less to the tenant and/or neighbor with questions, concerns or complaints and is authorized to respond to any violation of the ALSZD ordinance and/or the ALLG&CC covenants.
2. Managing agency or agents is defined as a firm or agency licensed by the New Mexico Real Estate Commission representing the owner of the residential rental, or a person, firm or agency owning the property.
3. Rent is defined as the consideration charged, whether or not received, for the occupancy of space in a residential property, valued in monetary value, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without deductions whatsoever.
4. The maximum number of occupants and vehicles that the dwelling unit can accommodate is outlined as follows:

- a) Two (2) adults per bedroom maximum. Ten (10) will be the maximum allowable even if the property/dwelling has more than five (5) bedrooms.
- b) A minimum of three (3) off road/street parking spaces is required to obtain a STR permit. One (1) vehicle per bedroom maximum with no more than five (5) vehicles will be allowed at any property even if the property/dwelling have more than five (5) bedrooms.

**B. Letters to Property Owner's within 200 feet of Proposed Short Term Rental Property:**

The letter will need to include your name, the property address and your contact information (phone number and email) or property management's contact information. You will also need to include the 24 hour **LOCAL/EMERGENCY** contact information (this is defined as an individual(s) that can be at the subject property within one (1) hour or less). In the letter state your intent to utilize your property as a nightly/short term rental. Letters must be sent via Certified Mail through your local Post Office, retain the slips the Post Office provides you upon mailing the letter(s).

**C. Tenant Notification Requirements:**

Each Short Term Rental property shall have a clearly visible and legible notice posted by the owner, property management or representative within the property by or adjacent to the interior front door as follows:

- a) Valid Short Term Rental Permit, Compliance Certificate (some may be on the same document) these contain maximum number of guests and vehicles. Expiration date and local contact information.
- b) Valid Lodger's Tax Certificate.
- c) All Levels of Fire Restrictions.
- d) Specific procedures regarding trash and refuse disposal.
- e) Notification regarding occupants/guests may be cited and/or fined/evicted for creating a disturbance and/or violations as outlined in ALSZD ordinance and/or ALG&CC covenants.
- f) Notification there is NO use of any of the club houses or amenities, these are reserved for members/property owners.
- g) Notification of noise provisions contained in the ALG&CC covenants; quiet hours will be observed.
- h) Absolutely NO fires, campfires, fire rings, fire tables, fire pits, patio heaters or charcoal bbqs. Fires and all affiliated vessels/usage are strictly prohibited.
- i) Leash laws contained in the ALG&CC will be enforced, notify guest/occupants.

- j) ALG&CC covenants make it UNLAWFUL for any person(s) to discard a lit cigarette, cigar, match or any other form/type of incendiary material, including ashes from a fireplace.

All of the aforementioned are requirements/compliance requirements for each Short Term Rental. Any Non-Compliance act or incident can/will result in a Red Tag/Cease and Desist action. Red Tags will result in fees/fines and/or court costs and are the property owner's responsibility.

**Fee Schedule:**

Short Term Rental Permit Fee \$1080.00 per two (2) years

Compliance Inspection \$150.00 per one (1) year Must be conducted annually

It is property owner, property management, agent or representative's responsibility to contact ALSZD **PRIOR** to the expiration of the STR Permit and/or Compliance Certificate to schedule the new permit or inspection. The complete process must be completed in order to submit for a new permit and/or inspection.

Red Tag 1<sup>st</sup> Violation \$200.00

Property owner/property management/representative must contact ALSZD within 24 hours of Red Tag Violation to resolve. For every day that lapses without ALSZD being contacted an additional amount of \$50.00 per day will be automatically added to the \$200.00 Red Tag Violation amount. Compliance Inspection must be conducted by ALSZD, \$150.00 fee at owner's expense, prior to resuming rentals. ALSZD will remove the Red Tag upon completion and resolution of Red Tag issue(s). Fee for unauthorized removal of Red Tag \$50.00

Red Tag 2<sup>nd</sup> Violation \$500.00

Property owner/property management/representative must contact ALSZD within 24 hours of Red Tag Violation to resolve. For every day that lapses without ALSZD being contacted an additional amount of \$100.00 per day will be automatically added to the \$500.00 Red Tag Violation amount. Compliance Inspection must be conducted by ALSZD, \$150.00 fee at owner's expense, prior to resuming rentals. ALSZD will remove the Red Tag upon completion and resolution of Red Tag issue(s). Fee for unauthorized removal of Red Tag

Red Tag 3<sup>rd</sup> Violation                      \$1000.00

Property owner/property management/representative must contact ALSZD within 24 hours of Red Tag Violation to resolve. For every day that lapses without ALSZD being contacted an additional amount of \$200.00 per day will be automatically added to the \$1000.00 Red Tag Violation amount. Compliance Inspection must be conducted by ALSZD, \$150.00 fee at owner's expense, prior to resuming rentals. ALSZD will remove the Red Tag upon completion and resolution of Red Tag issue(s). Fee for unauthorized removal of Red Tag \$50.00

Upon ALSZD issuing/serving a Red Tag, ALSZD will make their best effort to contact the property owner/property management/representative on file (method on file) for notification of the Red Tag. Be advised, it is up to the property owner/property management/representative to always update contact information with ALSZD.

Be advised, ALSZD reserves the right to revoke a Short Term Rental Permit on the 3<sup>rd</sup> violation, fees/fines are due and payable regardless. Short Term Rental Permit fee and Compliance Inspection fee is Nonrefundable.