

6/14/16 AGENDA, ITEM 6b - ENFORCEMENT PROGRAM AND ESTABLISH FINES FOR VIOALTIONS OF SHORT TERM VACATION RENTALS, SOCIAL HOST ORDINANCE AND DRONE PERMITS. SUPPLEMENTAL LETTER SUBMITTED TO THE COMMUNITY DEVELOPMENT OFFICE BY MICHAEL SCOTT ON 6/13/16 AT 11:09 AM

**From:** Michael Scott [<mailto:michaelscotthb@gmail.com>]

**Sent:** Monday, June 13, 2016 11:09 AM

**To:** Kim Chafin

**Subject:** Fines for short term rentals

Dear Ms. Chafin

This letter is regarding the City Council recommendation regarding fines for short term rentals.

"Council directed staff to recommend fines regarding STVRs and the Social Host Ordinance. Recommended fines for both are \$2,500 for the first violation, \$3,000 for the second violation, and \$3,500 for the third violation. For STVRs, these fines are roughly commensurate to rates advertised for a weekend at a STVR property at or near the beach."

Based on the fact that:

- a) There are multiple properties that rent for \$60-100/night and only a handful of properties may rent for \$1500 for two nights.
- b) The current municipal code states that the fine for Infractions are \$100, \$200 and \$500 and the fine for a misdemeanor can not be more than \$1000.
- c) The principle of the rationale for the degree of punishment meted out is that the punishment should fit the crime.

I believe that the proposed fines would clearly be an excessive punishment that would be a blatant violation of the Eight Amendment to the United States which "prohibits the government from imposing excessive bail, excessive fines, or cruel and unusual punishment".

These fines needs to be reduced to an appropriate and just amount based on the nature of the violation to be consistent with current Municipal Code

Thank you very much

Michael Scott