



MARANA ORDINANCE NO. 2024.023

RELATING TO BUSINESS REGULATIONS; REVISING MARANA TOWN CODE TITLE 9 (BUSINESS REGULATIONS), CHAPTER 9-14 (SHORT-TERM AND VACATION RENTALS), SECTION 9-14-9 (COMPLIANCE WITH LAWS; PROHIBITED USES) TO PROVIDE THAT ACCESSORY DWELLING UNITS MAY ONLY BE USED FOR SHORT-TERM RENTALS IF AND WHILE THE OWNER RESIDES ON THE PROPERTY THAT CONTAINS THE ACCESSORY DWELLING UNIT; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Arizona Legislature adopted Laws 2024, Chapter 196 (House Bill 2720), signed by Governor Katie Hobbs on May 21, 2024, and effective on September 14, 2024, which among other items, revised Arizona Revised Statutes (A.R.S.) §9-500.39 to provide that a municipality may regulate vacation or short-term rentals to require that the owner of a vacation or short-term rental must reside on the property if the property contains an accessory dwelling unit (ADU) that is being used as a vacation or short-term rental; and

WHEREAS the Mayor and Council of the Town of Marana find that revising MTC Chapter 9-14 (Short-Term and Vacation Rentals) to add a provision addressing ADUs as permitted by the newly-revised A.R.S. §9-500.39 is in the best interests of the Town and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 9 (Business Regulations), chapter 9-14 (Short-Term and Vacation Rentals), section 9-14-9 (Compliance with laws; prohibited uses) is hereby amended as follows (with additions shown with double underlining):

**9-14-9 Compliance with laws; prohibited uses; accessory dwelling units**

- A. The operation of a vacation rental shall be in compliance with all federal, state, and local laws, including this chapter.
- B. The use of a vacation rental property for any of the following uses or purposes is strictly prohibited:
  - 1. Any nonresidential use.
  - 2. Holding a special event that requires a permit or license pursuant to a town ordinance or state law or rule.

3. Operating a retail business, restaurant, event center, banquet hall or similar use.
  4. Housing sex offenders.
  5. Operating or maintaining a sober living home.
  6. Selling or offering for sale, consideration, or entrance fee, liquor or illegal drugs.
  7. Commercial display or production of pornography.
  8. Obscenity as prohibited by A.R.S. Title 13, Chapter 35.
  9. Operating or maintaining an adult-oriented business including nude or topless dancing.
  10. Any other use prohibited by A.R.S. §9-500.39 or the town code.
- C. A vacation rental lacking a valid transaction privilege tax license issued by the State of Arizona shall not be rented or offered for rent.
- D. No person or entity may receive payment or accept a fee, directly or indirectly, for facilitating the rental of a vacation rental operating in violation of this code or other law.
- E. The failure of any designee to comply with this chapter shall not relieve the owner of liability under this chapter.
- F. An accessory dwelling unit constructed on or after September 14, 2024 may be used as a short-term rental only if and while an owner resides on the property that contains the accessory dwelling unit. For purposes of this paragraph "accessory dwelling unit" has the same meaning as prescribed in A.R.S. §9-461.18.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.


SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance is effective on the 31st day after its adoption.


PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA,  
Arizona, this 6th day of November 2024.

  
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Mayor Ed Honea

ATTEST:

  
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David L. Udall, Town Clerk

APPROVED AS TO FORM:

  
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Jane Fairall, Town Attorney

