

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 In the Matter of: )  
4 SUSPENSION OF PROCESSING )  
5 OF NEW SHORT TERM ) RESOLUTION # 21-3-12A  
6 LICENSES UNDER LCC 4.405 THROUGH 4.460 )  
7 )  
8 )

9 WHEREAS Ballot Measure 21-203 was passed by the voters of Lincoln County, Oregon,  
10 and became effective November 19, 2021, prohibiting new STR licenses in R-1, R-1A and R-2  
11 zones; and  
12

13 WHEREAS on December 1, 2021, at 5:07pm, a Temporary Restraining Order (TRO) was  
14 granted in Lincoln County Circuit Court Case No. 21CV46002 against enforcement of the Ballot  
15 Measure 21-203; and  
16

17 WHEREAS the Lincoln County Board of Commissioners (Board) previously by  
18 Resolution #20-4-3B as amended and extended by Resolution #20-27-4A implemented a  
19 temporary suspension of new short term rental licenses in order to undertake a comprehensive  
20 review of licensing standards, program operations, enforcement actions and full implementation  
21 of new provisions of the licensing program for short term rental of residences (STRs), Lincoln  
22 County Code (LCC) Sections 4.405 through 4.460; and  
23

24 WHEREAS the Board desires to suspend all processing of STR licenses until a final  
25 determination is made by the Lincoln County Circuit Court on the validity of the ballot measure;  
26 and  
27

28 NOW, THEREFORE, the Board of Commissioners does resolve and order:  
29

- 30 1) That the Lincoln County Sheriff's Office, the delegated licensing authority under LCC  
31 4.405 through 4.460, shall temporarily suspend acceptance, processing and issuance of  
32 short term rental licensing applications to new (never previously licensed) residences under  
33 the LCC except as noted below or as determined appropriate to carry out the intent of this  
34 Resolution as determined by the licensing authority after consultation with County  
35 Counsel's Office. The licensing authority shall not issue an STR license to any currently  
36 pending applications for licenses in R-1, R-1A, and R-2 zones as of the date and time this  
37 Resolution is adopted by the Board of Commissioners. New applications received after  
38 the TRO was signed shall not be processed in accordance with this Resolution.  
39
- 40 2) That exceptions to the suspension include, but are not limited to, the following:  
41
- 42 a. Currently pending or processing new applications for licenses not in R-1, R-1A,  
43 and R-2 zones as of the date and time this Resolution is adopted by the Board of  
44 Commissioners.

45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77

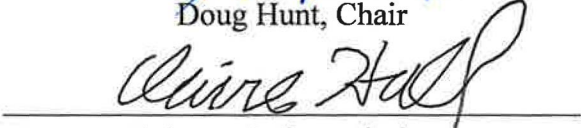
- b. For in process applications for new owners as allowed under Resolution #20-4-3B(2)(c).
  - c. Existing STR licensed residences as of the date of this Resolution are exempted from this moratorium. Under LCC 4.420 licenses are not assignable.
  - d. Other exceptions carrying forth the intent of this Resolution and the County Code as determined solely in the discretion of the licensing authority after consultation with County Counsel’s Office.
- 3) That this Resolution take effect immediately upon adoption and terminate on March 3, 2022, unless further extended by action of the Board or replaced with amendments to the County Code.
- 4) That copies of this Resolution be provided to the Short Term Rental Licensing Authority (Lincoln County Sheriff’s Office), County Counsel and to the county PIO to distribute to the public through appropriate means.

DATED this 3<sup>rd</sup> day of December, 2021.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**



Doug Hunt, Chair



Claire Hall, Commissioner



Kaety Jacobson, Commissioner