

**CITY OF ENCINITAS**  
 Planning & Building Department  
 505 S. Vulcan Ave  
 Encinitas, CA 92024  
**Phone:** 760-633-2708  
**Email:** [permits@encinitasca.gov](mailto:permits@encinitasca.gov)

# SHORT-TERM RENTAL PERMIT APPLICATION

Short-Term rental is defined as the rental of any structure or portion of any structure for occupancy for dwelling, lodging or sleeping purposes of 30 consecutive days or less (EMC 9.38.020). Any short-term rental requires a permit from the City. Approved permits are valid for one year.

**Fees:** New application: \$150  
 Renewal fee: \$150

**Eligible Unit Types:** Single-family, Duplex

**Information Attached**

- Application
- Sample Site Plan & Floor Plan
- Encinitas Municipal Code
- FAQ
- Solid Waste Management handout

**How To Apply**

Complete the application and submit with the following documentation:

- \$150 fee, pay via cash, credit card or check (payable to City of Encinitas)
- Site/Floor Plan must include parking dimensions (garage/driveway) and bedrooms showing closets and doors.
- Copy of blank Rental Agreement with conditions listed in agreement, including occupancy, parking and trash disposal (EMC 9.38.040B).
- If the applicant is not the property owner, a letter from property owner is required, granting permission for dwelling to be utilized as a Short Term rental.
- Submit application packet and fee. Payments can be made by mail (check only), in person at City Hall (cash check or credit card) or by email [permits@encinitasca.gov](mailto:permits@encinitasca.gov) (credit card only – a staff member will contact you for credit card details).

**PROPERTY INFORMATION**

Street Address: \_\_\_\_\_ Number of on-site parking spaces: \_\_\_\_\_

Check One:             Single-family home-entire       Single-family home-portion  
                               Duplex-entire                                       Duplex-portion

If portion of home, describe: \_\_\_\_\_

**PROPERTY OWNER:** (Check box for contact preference: email, home phone, etc.)

Company Name: \_\_\_\_\_  Business Phone: \_\_\_\_\_

Name: First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Email: \_\_\_\_\_  Home Phone: \_\_\_\_\_  Mobile Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**APPLICANT:**  Same as PROPERTY OWNER (Check box for contact preference: email, home phone, etc.)

Company Name: \_\_\_\_\_  Business Phone: \_\_\_\_\_

Name: First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Email: \_\_\_\_\_  Home Phone: \_\_\_\_\_  Mobile Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PROPERTY MANAGEMENT:**  Same as PROPERTY OWNER  Same as APPLICANT

*A property management company must have a Business registration with the City of Encinitas*

(Check box for contact preference: email, home phone, etc.)

Company Name: \_\_\_\_\_  Business Phone: \_\_\_\_\_

Name: First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Email: \_\_\_\_\_  Home Phone: \_\_\_\_\_  Mobile Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**CONTACT INFORMATION:** (choose one for each type)

24/7 Contact on Permit	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Property Management
Permit & Renewal Invoice	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Property Management
Transient Occupancy Tax Reporting	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Property Management

Upon approval, all Short Term Rental permits are subject to the following conditions. Signature on this application indicates agreement to these conditions.

**CONDITIONS:**

1. A Short Term Rental permit is valid for one year from the date of the approval. The applicant shall submit the required fee to the City of Encinitas each year. A courtesy notice will be sent out approximately 45 days prior to the expiration date.
2. Upon change of property ownership or material fact, a new application for a Short -Term Vacation Rental permit shall be required to continue the operation of the Short-Term Vacation Rental. Within 14 days of said change of ownership, the property owner or agent shall submit the required application and fee.
3. Applicants shall affix one copy of the Short-Term Vacation Rental Permit on the inside of the main entry door of each Short-Term Rental and one copy on the exterior of the unit, in plain view of the general public and/or common areas. The exterior display shall be up year-round unless an alternative accommodation has been approved pursuant to Section 9.38.040B12.
  - a) The notice shall contain a 24-hour, 7-day phone number for a private party responsible for the facility to take complaints regarding its operation.
  - b) The notice shall also contain the maximum number of overnight occupants permitted to stay in the unit and the maximum number of vehicles for overnight occupants.
4. Applicant shall use "best efforts" to insure that the occupants and/or guests of the Short-Term Rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate

provisions of the Encinitas Municipal Code or any applicable law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs.

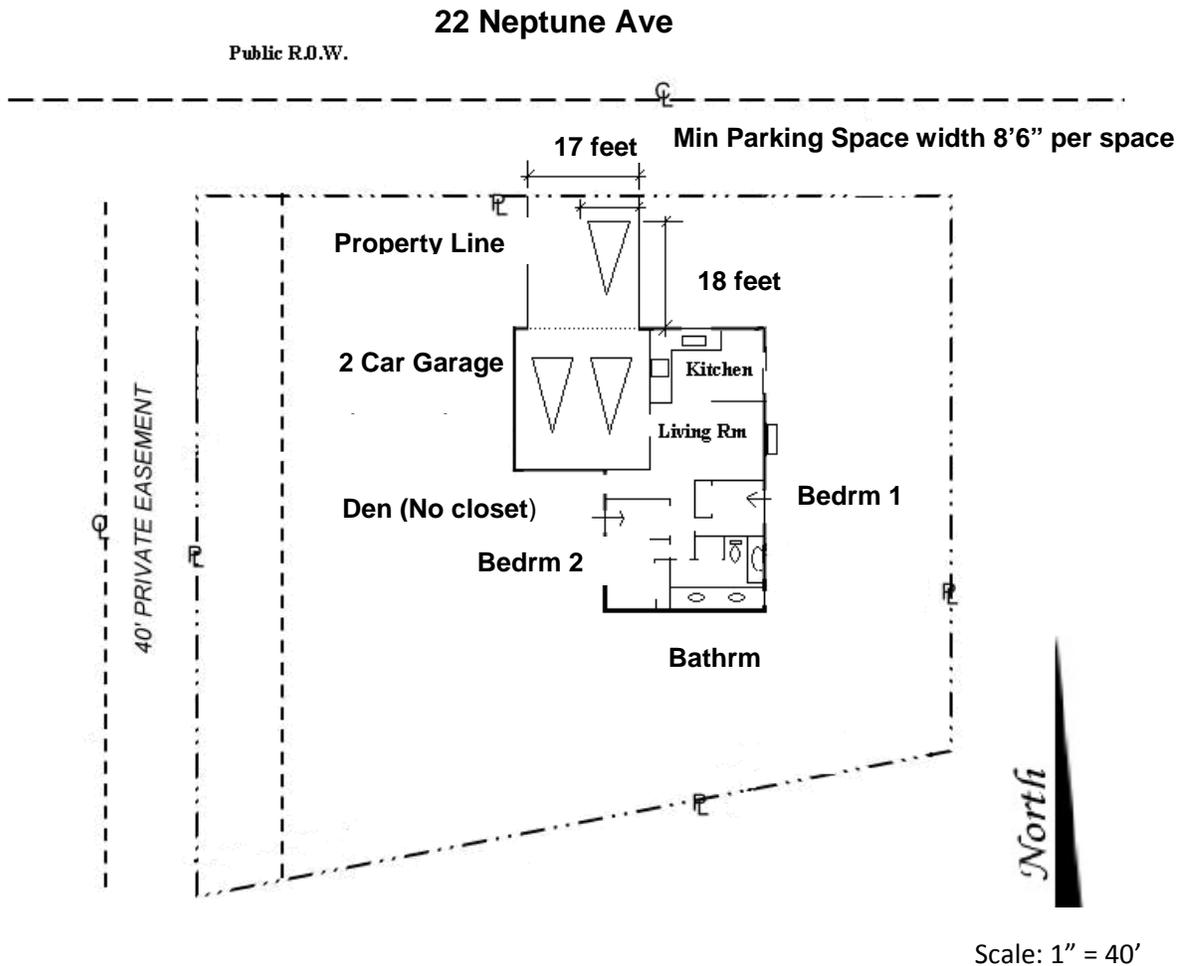
5. Upon receiving a complaint, the applicant shall respond in a timely manner within 2 hours of the time the initial call was made, and within 24 hours of the initial call use “best efforts” to prevent the recurrence of such conduct by the occupants and to take corrective action to address any violation. Failure to respond timely to two or more complaints regarding tenant violations is grounds for penalties as set forth in Chapter 9.38 of the Encinitas Municipal Code.
6. Trash and refuse shall not be left or stored within public view except from sunset of the day prior to trash pick -up until up to midnight on the day designed for trash pick-up. All trash shall be in approved receptacles pursuant to Section 11.20.090 of the Encinitas Municipal Code.
7. The issuance of this permit shall not relieve the “property owner” of the obligation to comply with all other provisions of the Encinitas Municipal Code pertaining to the use and occupancy of their property. The “property owner” shall be responsible for compliance with all provisions of Chapter 9.38, Short-Term Rentals, and all of the laws regulating Short-Term Rentals.
8. Rental Agreements. Information on the permitted occupancy and parking capacity for each unit, along with trash disposal requirements shall be stated in the rental information and agreement provided to prospective renters, prior to their occupancy of the unit.
9. The 24-hour, 7-day phone number of a private party responsible for the facility shall be provided to adjacent property owners. Adjacent property owners include those properties immediately abutting the property and those immediately across any public or private street.
10. Any false statements or information provided in the application are grounds for revocation and /or imposition of penalties.
11. The use of a short-term rental shall be consistent with the allowable uses within the residential zone or be consistent with the provisions of Section 30.48.040L, Home Occupations. Examples of uses not authorized within a residential zone include rental of property for weddings, business meetings, management training seminars and retreats, and the like.
12. Any violation of these conditions, Chapter 9.38 or failure to pay applicable taxes or fees, penalties may be imposed, or the permit suspended or revoked as specified in Section 9.38.050B and pursuant to the process identified in Section 9.38.060 of the Encinitas Municipal Code.

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge. I understand any false statements or information are grounds for denial of this application or revocation of the permit. I acknowledge I will adhere to the conditions as stated on the permit. Any misuse of privileges or multiple complaints received by the City may constitute violations of this permit resulting in fines and/or revocation of the permit.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# SAMPLE SITE PLAN & FLOOR PLAN



The following information must appear on the site/floor plan:

- 1. Site Address**
- 2. Assessor Parcel Number**
- 3. Zoning**
- 4. All rooms in dwelling on all floors**
- 5. Number of Bedrooms**

Bedrooms must have a built-in closet and be separated from other rooms with a door. Include the location of the closets and doors on the floor plan.
- 6. Number of Parking Spaces**

All on-site parking must be located on the subject private property. Include measurements of parking area.

  - Must have 8 feet, 6 inches x 18 feet per exterior space and 8 feet- 6 inches x 19 feet for enclosed spaces
  - 2 car garage must have minimum 17 feet x 19 feet clear space for parking
  - All designated spaces shall be available for the occupants



## SHORT-TERM RENTAL – FREQUENTLY ASKED QUESTIONS

CITY OF ENCINITAS

PLANNING AND BUILDING DEPARTMENT

505 South Vulcan Avenue, Encinitas CA 92024-3633

Phone: (760) 633-2708; [permits@encinitasca.gov](mailto:permits@encinitasca.gov)

1. **Who administers the Short-term rental permit?** The Planning & Building Department administers the permit. (Permit Administrator, 760-633-2708, [permits@encinitasca.gov](mailto:permits@encinitasca.gov))
2. **Is a Short-term rental permit subject to Transient Occupancy Tax?** Yes. Effective January 1, 2009, short-term rentals shall be subject to a 10% Transient Occupancy Tax. This was approved by the voters on June 3, 2008 and November 4, 2008. For additional information, please contact the Finance Department at 760-633-2640.
3. **What is a short-term rental?** The code defines a short-term rental as renting a single-family home or duplex for “occupancy for dwelling, lodging or sleeping purposes of 30 consecutive days or less.” It is important to understand that a short-term rental is allowed in residential neighborhoods; as such, the dwelling must be maintained and used at all times for residential occupancy. This would prohibit using a home for commercial purposes (i.e., weddings, corporation retreats, or other special events). (See item 4 below)
4. **Can I rent my short-term rental for weddings, corporation parties or special events?** No. Renting a home for weddings, corporation parties/retreats, or other special events are a commercial activity/use and not allowed within residential zones. A short-term rental permit does not give someone the authority to rent their property for special events and does not authorize renters to use short-term rental properties for special events. Remember, the dwelling being rented as a short-term rental is a residential use within a residential neighborhood.
5. **Is a short-term rental allowed in a condominium or multi-family project?** No. A short-term rental is only allowed for single-family and duplex uses in residential zones. The Zoning Code prohibits transient uses in residential zones with the exception of single-family and duplex uses. A condominium project or an apartment building of 3 or more units in a residential zone is not allowed as a short-term rental. (Note: some condominium projects and multi-family projects are located in non-residential zones and can be used as a transient habitation use/short-term rental, as allowed by the zone.)

*TRANSIENT HABITATION UNIT Shall mean living quarters intended exclusively for occupancy by transient persons for a period of 30 consecutive days or less and subject to Chapter 3.12 of the Municipal Code, Transient Occupancy Tax . A transient habitation unit may include a hotel or motel room or suite of rooms, a cabin or campground space, but does not include single family or duplex units. (Ord. 97-17). (Chapter 30.04, Definitions, Encinitas Municipal Code)*

6. **Are short-term rentals allowed in non-residential zones?** Yes. A short-term rental may be allowed in other non-residential zones subject to the provisions of that zone. For example: in commercial mixed use zones on Hwy 101 for the Downtown Specific Plan hotel/motels (or transient habitation) are allowed subject to a use permit. Since a short-term rental is a transient use by definition (30 days or less), a short-term rental in this zone is subject to the approval of a use permit.
7. **Can I rent a portion of my home as a short-term rental?** Yes. Section 9.38.020 of the Encinitas Municipal Code defines a short-term rental as “*any structure or portion of any structure for occupancy for dwelling ... including single-family and duplex units.*” Occupancy and vehicle limitations shall be determined as noted under item 8 below.

- a. **How many short-term rentals can I have in my home?** Only one short-term rental shall be allowed within a dwelling. In addition, multiple rentals of the unit at the same time are prohibited. Multiple rentals at the same time would be classified as a bed and breakfast, subject to the regulations outlined in Section 30.48.040Z of the Encinitas Municipal Code.
- b. **Can I rent my accessory unit out as a short-term rental?** Yes. The accessory unit is considered a “*portion*” of the single-family home. No additional short-term rentals will be allowed on the property. Also, the accessory unit has size limitations. Increasing the size of an accessory unit to create a larger short-term rental unit may not be allowed. (See Section 30.48.040V, Encinitas Municipal Code)
- c. **Can I rent my 2<sup>nd</sup> unit that was approved under the Affordable Unit Policy (or any other illegal unit policies) as a short-term rental?** No. The Affordable Unit Policy and previous policies to address 2<sup>nd</sup> units constructed illegally (without permits) were established to help preserve affordable units to lower income individuals. A short-term rental would prohibit the use of the unit as an affordable unit.

## 8. How is occupancy and vehicle limitation determined?

- a. Occupancy is based on 2 persons per bedroom plus one person per dwelling.
  - i. **What is a bedroom?** A bedroom is defined by the Zoning Code, which includes a closet and minimum widths. A closet must be attached to a wall. The bedroom must have doors to separate it from other rooms.
 

*BEDROOM shall mean a room that could be used for sleeping purposes having minimum widths of 7 feet and having a closet, excluding bathrooms, kitchen, living room, and laundry. (Chapter 30.04, Definitions, Encinitas Municipal Code)*
  - ii. **How is occupancy calculated when I rent only a portion of my home?** When a short-term rental is a portion of a single-family home or duplex unit, occupancy shall be determined as 2 persons per bedroom. Since the entire unit is not being rented, the “*one additional person per dwelling*” does not apply. Any additional occupancy would be evaluated on a case-by-case basis subject to Section 9.38.040B12 of the Encinitas Municipal Code. (See item 9A below)
- b. Vehicle limitation shall not exceed the number of designated on-site parking spaces.
  - i. **Do parking stalls need to meet certain standards?** Yes. All designated spaces must meet minimum parking standards, i.e., size, back-up, location, etc.
  - ii. **Can I store my boat in my garage?** Maybe. If the parking within the garage is designated for the short-term rental, it must be available for the guest whether they use it or not. If the garage is used for storing the owner’s boat, vehicle or other things, it is not considered to be “*available*” and is not allowed to be counted as designated parking for the short-term renters.
  - iii. **Can I count parking in front of my garage?** Any parking identified in the front of the garage must be consistent with minimum parking standards. This not only includes parking stall size but also back up requirements and tandem parking limitations.
  - iv. **When a portion of a home is a short-term rented, how is the parking calculated?** Parking designated for the short-term rental is in addition to the parking required for the home. A minimum of two parking spaces will be designated for the portion of the

home which is not part of the short-term rental. (This could increase to 3 depending on the size of the home.) The parking for the short-term rental will then be calculated in addition to that required for the home.

## 9. Special Accommodations.

- a. **What if I cannot meet the Operational Requirements (Section 9.38.040B) of the Short-term Rental Ordinance (Chapter 9.38)?** Section 9.38.040B12 states that the Operational Requirements may be modified. This is based on site-specific circumstances for the purpose of allowing reasonable accommodation of the short-term rental.

The Operational Requirements may be modified by the City Manager based on site-specific circumstances for the purpose of allowing reasonable accommodation of a Short-Term rental. All requests must be in writing and shall identify how the strict application of the Operational Requirements creates an unreasonable hardship to a property, and if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site. Such hardships cannot be self-induced or economic. In addition, any modification to the Operational Requirements cannot further exacerbate an already existing problem. (Section 9.38.040B12, Encinitas Municipal Code)

- b. **If I only rent my home out a couple of weeks of the year, do I have to display the sign year-round?** A request for reasonable accommodations must be made in writing. If approved, the exterior sign must go up on the unit one week prior to the unit being rented and may be removed one week following the unit being used as a short-term rental.
- c. **What can I do if I rent to a family of 4 but my occupancy is limited to 3?** You can submit in writing a request to modify the standard based on site-specific conditions. This is evaluated by staff and a determination is made. It is important to note that “any modification to the Operational Requirements cannot further exacerbate an already existing problem.”
- d. **What if my home has no on-site parking?** See item 9A above.

**CITY OF ENCINITAS MUNICIPAL CODE**  
**CHAPTER 9.38 REGULATING SHORT-TERM RENTALS**

**9.38.010 Purpose—Findings and Determinations.**

The City Council finds and determines that the City has received numerous complaints related to short-term rentals, including, but not limited to, excessive noise, disorderly conduct, illegal parking, vandalism, overcrowding, traffic congestion and excessive accumulation of refuse. The City Council further finds and determines that these adverse impacts are related to the transitory nature of the occupants of short-term rentals. The purpose of this chapter is to establish regulations to address and mitigate these adverse impacts. This chapter is not intended to regulate non-vacation type rental arrangements not generally characterized by the adverse impacts referenced in this section. (Ord. 2006-05)

**9.38.020 Definition.**

“Short-term rental” means the rental of any structure or any portion of any structure for occupancy for dwelling, lodging or sleeping purposes of 30 consecutive days or less in the City, including single-family or duplex units. (Ord. 2006-05)

**9.38.030 Permit Required/Penalty.**

Any short-term rental shall obtain a short-term rental permit pursuant this chapter. Any person operating a short-term rental without a permit shall be guilty of a misdemeanor. (Ord. 2006-05)

**9.38.040 Permit Requirements.**

Short-term rentals shall be regulated in all residential zones including residential developments in PRDs (planned residential districts), as follows:

- A. Application Requirements.
  - 1. Applicants shall submit an application for a short-term rental permit to the City of Encinitas each year for each unit. The application for a permit shall be accompanied by a nonrefundable application fee as established by the City Manager; however, the fee shall be no greater than necessary to defer the cost incurred by the City in administering the provisions of this chapter. Although the applicant may be the property owner or the property owner’s agent, the property owner shall be the party responsible for compliance with all provisions of this chapter and all of the laws regulating short-term rentals.
  - 2. Upon change of property ownership or material fact, a new application for a short-term rental permit shall be required to continue operation of the short-term rental and within 14 days of said change the property owner or his/her agent shall submit the required application and fee.
  - 3. Granting or Denial of Application. The application shall be granted unless the applicant does not meet the conditions and requirements of the permit, or fails to demonstrate the ability to comply with the Encinitas Municipal Code and other applicable law.
  - 4. Any false statements or information provided in the application are grounds for revocation and/or imposition of penalties, as outlined within this chapter.
- B. Operational Requirements.
  - 1. Applicants shall use “best efforts” to insure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of the Encinitas Municipal Code or any applicable law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs.
  - 2. Applicants shall, upon receiving notification that occupants or tenants of his or her short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the Encinitas Municipal Code or applicable law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol or the use of illegal drugs, respond in a timely manner within two hours of the time the initial call (complaint) was made, and within 24 hours of the initial call use best efforts to prevent the recurrence of such conduct by the occupants and to take corrective action to address any violation. Failure to respond timely to two or more complaints regarding tenant violations is grounds for penalties as set forth in this chapter. It is not intended

- that the property owner, local agent or contact person act as a peace officer or place himself or herself in an at-risk situation.
3. The property owner or agent shall limit overnight occupancy of the short-term rental unit to a specific number of occupants not to exceed two persons per bedroom plus one additional person per dwelling. All other applicable occupancy laws shall apply.
  4. The property owner shall limit the number of vehicles of overnight occupants to the number designated in the permit which shall not exceed the number of designated on-site parking spaces. All designated on-site parking spaces shall be made available for the vehicles of occupants.
  5. The property owner or agent of a short-term rental unit shall comply with all the provisions of the Encinitas Municipal Code.
  6. Trash and refuse shall not be left or stored within public view except from sunset of the day prior to trash pick-up until up to midnight on the day designated for trash pick-up. All trash will be in approved receptacles pursuant to Section 11.20.090 of the Encinitas Municipal Code.
  7. The City Manager or his/her designee shall have the authority to impose additional standards and/or conditions to short-term rental permits as necessary to achieve the objectives of this chapter.
  8. Interior Display of Short-Term Rental Permit. Applicants shall affix the short-term rental permit on the inside of the main entry door of each short-term rental unit to which it applies. The interior display will also contain the maximum number of overnight occupants permitted to stay in the unit, the maximum number of vehicles for overnight occupants, and a 24-hour, seven-day phone number of the private party responsible for the facility.
  9. Exterior Display of Short-Term Rental Unit. Applicants shall display on the exterior of a short-term rental unit, a notice provided by the City containing a 24-hour, seven-day phone number for a private party responsible for the facility to take complaints regarding its operation. The exterior display will also contain the number of bedrooms, maximum number of overnight occupants permitted to stay in the unit, and the maximum number of vehicles for overnight occupants. The notice shall be in plain view of the general public and/or common areas and shall be maintained in good condition at all times.
  10. Adjacent Property Owners Notified. Applicants are also required to provide adjacent property owners with the 24-hour, seven-day phone number for a private party responsible for the facility.
  11. Rental Agreements. Information on the permitted occupancy of the dwelling, parking capacity for each unit, and trash disposal requirements shall be stated in the rental information and agreement provided to prospective renters, prior to their occupancy of the unit.
  12. The operational requirements may be modified by the City Manager based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term rental. All requests must be in writing and shall identify how the strict application of the operational requirements creates an unreasonable hardship to a property, and if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site. Such hardships cannot be self-induced or economic. In addition, any modification to the operational requirements cannot further exacerbate an already existing problem.

### **9.38.050 Violations and Penalties.**

- A. Violations. The following conduct shall constitute a violation for which the penalties specified in subsection B of this section may be imposed, or the penalties imposed and permit suspended:
  1. The property owner has failed to comply with the standard conditions pursuant to this chapter; or
  2. The property owner has failed to comply with additional conditions imposed by the City Manager pursuant to the provisions of Section 9.38.040B7; or
  3. The property owner has violated any provision of this chapter; or

4. The property owner has failed to pay applicable taxes or fees.
- B. Penalties. The penalties specified in subsection A of this section shall be as follows:
1. For the first violation within any 24-month period, the penalty shall be a fine of \$250.00;
  2. For a second violation within any 24-month period, the penalty shall be a fine of \$500.00;
  3. For a third violation within any 24-month period, the penalty shall be a fine of \$750.00;
  4. For a fourth violation within any 24-month period, the penalty shall be a fine of \$1,000.00 and suspension of the permit.

#### **9.38.060 Imposition of Penalties/Suspension—Procedure.**

Penalties, including a notice of violation, shall be imposed, and permits shall be suspended, only in the manner provided in this section.

- A. The City Manager shall cause an investigation to be conducted whenever there is reason to believe that a property owner has failed to comply with the provisions of this chapter. Should the investigation reveal substantial evidence to support a finding that a violation occurred, the investigator shall issue written notice of the violation and intention to impose a penalty, or penalty and suspend the permit. The written notice shall be served on the property owner and operator or agent and shall specify the facts which in the opinion of the investigator, constitute substantial evidence to establish grounds for imposition of the penalties, or penalties and suspension, and specify that the penalties will be imposed and/or that the permit will be suspended and penalties imposed within 15 days from the date the notice is given unless the owner and/or operator files with the City Clerk the fine amount and a request for a hearing before the City Manager.
- B. If the owner requests a hearing within the time specified in subsection A of this section, the City Clerk shall serve written notice on the owner and operator, by mail, of the date, time and place for the hearing which shall be scheduled not less than 15 days, nor more than 45 days of receipt of request for a hearing. The City Manager or his/her designee shall preside over the hearing. The City Manager or his/her designee shall impose the penalties, or penalties and suspend the permit only upon a finding that a violation has been proven by a preponderance of the evidence, and that the penalty, or penalty and suspension are consistent with this chapter. The hearing shall be conducted according to the rules normally applicable to administrative hearings. A decision shall be rendered within 30 days of the hearing and the decision shall be appealable to the City Council if filed with the City Clerk no later than 15 days thereafter, pursuant to Chapter 1.12.

#### **9.38.070 Permits and Fees Not Exclusive.**

Permits and fees required by this chapter shall be in addition to any license, permit or fee required under any other chapter of this Code. The issuance of any permit pursuant to this chapter shall not relieve the property owner of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of their property.

#### **9.38.100 Private Actions to Enforce.**

Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter.

Nothing herein shall be deemed or construed to create any right of action against the City or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities and interests, which are or may be impacted or affected by various aspects of short-term rentals within the City.



# Solid Waste Management Services

## BULKY ITEMS

Bulky Item Pickup is a service offered by EDCO for large items generated from within your home. To schedule a bulky item pick up call us at (760) 436-4151. On your appointed bulky item collection day, set out your item at the curb or the end of your driveway by 6:00 a.m. This service is offered for a nominal fee.

## HAZARDOUS WASTE

Call (800) 714-1195 to arrange for home pick up of household hazardous waste for a nominal co-pay.

Residents can also visit one of North County's Regional Household Hazardous Waste (HHW) collection facilities to properly dispose of toxic products.

1145 East Taylor Street, Vista  
Open Saturdays (except holiday weekends) 9 a.m. to 3 p.m.

## ELECTRONIC WASTE

Call EDCO at (760) 744-2700 for information about recycling unwanted electronic devices. Programs available for residential collection at a reasonable cost, or drop off e-waste.

## Information Regarding Trash Collection

In the City of Encinitas, for public health purposes, the collection of solid waste is a mandatory service. All residents and businesses are liable for payment of fees for trash collection services.

The City of Encinitas has an exclusive franchise agreement with EDCO Waste Recycling Services to provide solid waste collection services in Encinitas for residential & commercial customers. EDCO is the only authorized company that can haul solid waste in Encinitas.

EDCO provides each single-

family residential customer with a GRAY automated cart for weekly trash collection, a BLUE container for recycling and a GREEN cart for green waste.

Residents can request additional GRAY trash carts for a nominal fee, BLUE recycling carts at no cost and up to 2 additional GREEN-waste carts at no additional cost.

Do not fill the container to such extent that would allow the contents to blow or get strewn about.

Trash and recycling containers should be set out for collection prior to 6 a.m.

on your service day.

Please set out trash containers in your designated collection area on the street with the wheels against the curb or the edge of the roadway. Arrows on the lid should point toward the street.

Carts should be placed at least 2 feet away from each other and obstructions such as parked cars, trees, telephone poles and mailboxes.

Trash containers must be stored out of public view except as noted above for collection.

## Recycling (Blue Cart)

### RECYCLABLE ITEMS:

- Aluminum Cans
- Glass Bottles & Jars (all colors)
- Steel (tin) Cans
- Plastic Containers marked 1 thru 7 or "CA Redemption Value"
- Cartons: (ie) soup, milk, juice, soy
- Writing Paper
- Computer Paper
- Newspaper
- Flattened Cardboard
- Flattened Boxes
- File Folders
- Junk Mail
- Phone Books
- Magazines

- Paper Packaging
- Paper Bags
- Styrofoam Packaging - wiped clean of food

### DO NOT RECYCLE:

- Soiled disposable plates or cups,
- Soiled paper towels, tissue
- Carbon paper,
- Plastic bags (NO plastic grocery bags, newspaper delivery bags or chip/snack bags)
- Ceramics
- Drinking glasses
- Styrofoam packing peanuts
- Mirrors
- Batteries
- Light bulbs

## Green Waste (Green Cart)

### RECYCLABLE YARD WASTE INCLUDES:

- Yard Waste Clippings (grass, leaves, branches, palm fronds, ice plant, ivy, hedge trimmings)
- Floral Decorations
- Halloween Pumpkins
- Christmas trees (flocked trees are OK)
- Untreated and Non-Lead Based Painted Wood

### DO NOT RECYCLE:

- Plastic Bags
- Kitchen Scraps, Fruit, Trash or Hazardous Waste
- Animal Waste
- Dirt, Rocks, Asphalt, Concrete or Sand
- Treated or Lead-based painted wood or lumber

Information provided by:

City of Encinitas, Code Enforcement Division, 505 S. Vulcan Ave., Encinitas, CA 92024

To report violations, please call (760) 633-2685 or access the Citizen Complaint form at [www.encinitasca.gov](http://www.encinitasca.gov)