

1 **ORDINANCE BILL NO. 4-26**

2 AN ORDINANCE RELATING TO TOURISM PROMOTION; AMENDING SRC SECTION
3 38.020.

4 *The City of Salem ordains as follows:*

5 **Section 1.** SRC 38.020 is hereby amended as set forth below:

6 **Sec. 38.020. Definitions.**

7 The following words, terms and phrases, when used in this chapter, shall have the
8 meanings ascribed to them in this section, except where the context clearly
9 indicates a different meaning:

10 *Booking agent* means any person that provides a means through which a host or
11 other operator may offer transient lodging for occupancy, usually, though not
12 necessarily, via an online platform that allows a host or other operator to advertise
13 transient lodging through a website and that provides a way for potential users to
14 arrange transient lodging occupancy and payment, regardless of whether the
15 transient pays rent directly to the host or to the booking agent. Booking agents
16 include, but are not limited to:

17 (1) Online booking sites which are involved in listing and booking transient
18 lodging and handle any aspect of the resulting financial transaction;

19 (2) Online booking sites for transient lodging where advertisements of
20 transient lodging are displayed;

21 (3) A hosting or other online site that provides a means through which an
22 operator may offer transient lodging for occupancy;

(4) Any person who lists commercial transient lodging for occupancy;

(5) Any person who directly or indirectly accepts, receives or facilitates
payment, whether or not the person is the ultimate recipient of the payment,
including through Application Programming Interfaces (APIs) or other
computerized devices where third-party providers receive information about a
transaction and collect funds for the transient lodging occupancy from a transient;
or

(6) Any transient lodging provider, transient lodging intermediary, or transient
lodging tax collector as defined in ORS 320.300.

1 writing between the operator and the occupant providing for a longer period of
2 occupancy and the occupancy actually extends for more than 30 consecutive
3 calendar days. A person who pays for lodging on a monthly basis, irrespective of

4 *Transient lodging* or *transient lodging facility* means any structure or premises, or
5 any portion of a structure or premises, which is used, occupied, intended, or
6 designed for transient occupancy for 30 days or less for dwelling, lodging, or
7 sleeping purposes, and includes, but is not limited to, any hotel, motel, inn, studio
8 hotel, boutique hotel, bed and breakfast, tourist home, vacation home, single
9 family dwelling, duplex, condominium, cabin, accessory short-term rental, short-
10 term rental, manufactured dwelling, lodging house, rooming house, apartment
11 house, public or private dormitory, hostel, fraternity, sorority, public or private
12 club, corporate housing, houseboat, space in a mobile home park, space in a
13 trailer park, space in a campground, or similar premises or portions thereof so
14 occupied, provided such occupancy is for a period of 30 days or less.

~~Notwithstanding any other provision of this Chapter, an accessory short term
rental or a short term rental, as those terms are defined in SRC 111.001, are not
transient lodging as defined by this section and is not subject to the fee established
herein.~~

15 **Section 2. Codification.** In preparing this ordinance for publication and distribution, the
16 City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
17 within such limitations, may:

- 18 (a) Renumber sections and parts of sections of the ordinance;
- 19 (b) Rearrange sections;
- 20 (c) Change reference numbers to agree with renumbered chapters, sections or other
21 parts;
- 22 (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of
reference; and

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(h) Correct manifest clerical, grammatical or typographical errors.

Section 3. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall be effective on May 1, 2026.

PASSED by the City Council this _____ day of _____, 2026.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: D. Atchison