

# **Bond Case Briefs**

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## **ZONING & PLANNING - IDAHO**

### **Idaho Association of Realtors, Inc. v. City of Lava Hot Springs**

**Supreme Court of Idaho, Boise, January 2025 Term - May 21, 2025 - P.3d - 2025 WL 1450018**

Property owners and real estate agent association brought action against city, seeking declaratory judgment that city's short-term rental ordinance, which only allowed non-owner or manager occupied vacation rentals in commercial zones, violated state law and exceeded city's statutory authority, and writ of prohibition precluding enforcement of ordinance.

The Sixth Judicial District Court granted city's motion for summary judgment. Property owners and association appealed.

The Supreme Court held that vacation rental ordinance violated the Short-term Rental and Vacation Rental Act.

City short-term vacation rental ordinance which prohibited vacation rentals in residential zones except for owner or manager-occupied bed and breakfasts, but allowed rentals in commercial zones subject to regulation, violated the Short-term Rental and Vacation Rental Act, which precluded the city from enacting any ordinance that has the express effect of prohibiting short-term rentals in the city.