

ORDINANCE NO. C-23-34

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ARTICLE X. – VACATION RENTAL OF CHAPTER 15 – BUSINESS TAX RECEIPTS AND MISCELLANEOUS BUSINESS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CLARIFY DEFINED TERMS; TO REVISE CONDITIONS REQUIRING VACATION RENTAL REGISTRATION AND APPLICATION REQUIREMENTS; TO MODIFY VACATION RENTAL REGISTRATION PROCESS; TO REVISE THE QUALIFICATION OF A RESPONSIBLE PARTY, VACATION RENTAL STANDARDS, THE PROCESS FOR RENEWAL OF REGISTRATION AND SUSPENSION OF THE CERTIFICATE OF COMPLIANCE; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, on August 18, 2015, the City Commission of the City of Fort Lauderdale ("City Commission") adopted Ordinance C-15-29 to provide for the regulation of vacation rentals; and

WHEREAS, the ordinance created a program requiring the annual registration and inspection of properties operating as vacation rentals in the City; and

WHEREAS, on December 6, 2016, the City Commission adopted Ordinance C-16-25 which amended vacation rental regulations by modifying requirements for responsible parties to respond to the City, streamlining the registration renewal process and updating penalties for properties in violation of registration and operational requirements; and

WHEREAS, on February 7, 2023, the City Commission directed staff to review the registration fees, strengthen enforcement fines, and to require a noise measuring device be installed at vacation rentals;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Article X. - Vacation Rental, of Chapter 15 – Business Tax Receipts and Miscellaneous Business Regulations, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

CODING: Words, symbols, and letters stricken are deletions; words, symbols, and letters underlined are additions.

ARTICLE X. - VACATION RENTAL

...

Sec. 15-271. Definitions.

For the purpose of this Article, the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their meaning as provided in Section 1-2, Rules of construction, of this Code.

Certificate of Compliance means the document that is issued by the City that bears the words "vacation rental certificate of compliance" and shows that the person or entity, in whose name the document is issued, has complied with the provisions of this article relating to vacation rentals.

Garbage as defined in Section 24-1 of this Code.

Owner-occupied shall mean a Vacation Rental that is the primary and permanent residence of the owner of the property.

Permanent residence means that place where a person has his or her true, fixed, and permanent home and principal establishment to which, whenever absent, he or she has the intention of returning. A person may have only one (1) permanent residence at a time; and, once a permanent residence is established in a foreign state or country, it is presumed to continue until the person shows that a change has occurred. The establishment a permanent residence in the City is a factual determination to be made by the Broward County Property Appraiser and evidence of the granting of homestead exemption by the property appraiser shall be prima facie evidence of the establishment of a permanent residence.

Residential property as defined in Section 47-35.1 of the Unified Land Development Regulations.

Responsible party shall mean the owner or the person designated by the owner of the property to be called upon to answer for the maintenance of the property and the conduct and acts of occupants of residential properties.

Sleeping Room shall mean a room or space within a dwelling unit, as defined in Section 9-236, of this Code, primarily designed and used or intended to be used for sleeping purposes, excluding living rooms, kitchens, bathrooms, shower rooms, water closet compartments, laundries, pantries, foyers, connecting corridors, closets and storage space.

Transient Occupants means any person, or guest or invitee of such person, who occupies or is in actual or apparent control or possession of residential property registered as or required pursuant to this Article to be registered as a vacation rental. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the vacation rental is a transient occupant.

Vacation Rental shall mean any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is rented to transient occupants more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to transient occupants, and also a transient public lodging establishment as defined in F.S. §509.013, but that is not a timeshare project.

Sec. 15-272. - Registration Required.

- (a) It is unlawful for any person to allow another person to occupy any residential property that is a single-family, two-family, three-family, or four-family house or dwelling unit as a vacation rental within the City, or offer such property for rent as a vacation rental within the City, unless the owner of the property in fee simple title or his or her authorized representative has registered the property as a vacation rental property with the City and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this Article.

- (b) An application for registration as a vacation rental is deemed pending when the application has been filed, all applicable fees have been paid to the City pursuant to Section 15-274, of this Code, a certificate of compliance has not been issued for the property and the application has not been rejected. A registration application rejected as incomplete is not pending. Notwithstanding subsection (a) above, a person may allow another person to occupy residential property, for which a certificate of compliance has not been issued, as a vacation rental, when an application is pending if:
- (1) The residential property has an effective and valid license as a Vacation Rental classification of public lodging establishment issued by the Florida Department of Business and Professional Regulations prior to August 18, 2015; and
 - (2) The residential property is not in violation of any section of this Code; and
 - (3) An application for registration of the residential property as a vacation rental has been filed pursuant to Section 15-273 and all applicable fees have been paid; and
 - (4) ~~That said occupancy of the vacation rental was scheduled prior to August 18, 2015, as evidenced by a written and validly executed rental agreement or contract provided to the City Manager no later than November 2, 2015.~~
- (c) A vacation rental shall be registered annually on or before the thirtieth (30th) day of September.
- (d) The advertising or advertisement for the rental of a single-family, two-family, three-family, or four-family house or dwelling unit for periods of time less than thirty (30) days or one (1) calendar month is direct evidence of offering a property for rent as a vacation rental in violation of subsection 15-272(a) and the advertising or advertisement is admissible in any enforcement proceeding. The advertising or advertisement evidence raises rebuttable presumption that the residential property named in the notice of violation or any other report or as identified in the advertising or advertisement was used in violation of subsection 15-272(a).

CODING: Words, symbols, and letters stricken are deletions; words, symbols, and letters underlined are additions.

Sec. 15-273. - Application for registration.

- (a) A separate application for registration of a vacation rental shall be made to the City Manager or his or her designee for each building, proposed for use as a Vacation Rental, containing four (4) or less single family dwellings as the term is defined in Section 47-35.1 of the City's Unified Land Development Regulations, contained entirely under one (1) roof and shall set forth at a minimum:
- (1) The legal description of the property offered for rental (i.e., address, lot, block and subdivision name); and
 - (2) Name, address, electronic mail address, and telephone number of owner of said property; and
 - (3) Name, address, electronic mail address, and emergency contact telephone number of responsible party for said property; which shall be a twenty-four (24) hour, seven (7) days a week contact number; and
 - (4) That the telephone number for the responsible party will be answered twenty-four (24) hours a day, seven (7) days a week by the responsible party; and
 - (5) Acknowledgements by owner of the following:
 - a. That all vehicles associated with the Vacation Rental must be parked within the subject property in compliance with the Code of Ordinances of the City of Fort Lauderdale; and
 - b. That it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in Chapter 17, Noise Control; and
 - c. That the owner shall comply with all applicable city, county, state and federal laws, rules, regulations, ordinances and statutes; and
 - d. That no solid waste container shall be located at the curb for pickup before 6:00 p.m. of the day prior to pick up, and solid waste

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

container shall be removed before midnight of the day of pickup;
and

- e. That whoever, without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance of a property, or, having been authorized, licensed, or invited, is warned by the owner or lessee, to depart the property and refuses to do so, commits the offense of trespass in a structure or conveyance; and
 - f. That other properties are not jointly shared commodities and should not be considered available for use by transient occupants of the property subject of the application; and.
 - g. The vacation rental shall be equipped with a noise level detection device alerting the property owner/responsible party and transient occupants to noise emanating from the vacation rental, and all data produced by this device will be retained for a period of one hundred eighty (180) days and made available to the City upon request.
- (6) Proof of owner's current ownership of the property; and
 - (7) Proof of registration with the Florida Department of Revenue for sales tax collection and Broward County for Tourist Development Tax; and
 - (8) Proof of licensure with the Florida Department of Business and Professional Regulation for a transient public lodging establishment; and
 - (9) Proof of compliance with subsection 15-275; and
 - (10) Authorization letter if the application is being submitted on behalf of the owner of the property by his or her authorized representative.
- (b) Submission of an incomplete registration application form shall result in rejection of the application.
 - (c) An application for the modification of a vacation rental registration is

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

required when any of the following changes to the vacation rental are proposed:

- (1) A change in the gross square footage.
- (2) A change in the number of bedrooms.
- (3) A change in the maximum occupancy.
- (4) A change in the number of parking spaces, or a change in the location of parking spaces.

Upon completion of the changes or alterations to the vacation rental property, or the vacation rental operation the owner shall notify the City within ten (10) days of completion. A new certificate of compliance may be issued if the conditions of Section 15-277 have been met and all required permits have been issued for the changes or alterations.

Sec. 15-274. - Fees for registration.

The City charges reasonable fees for registration to compensate for administrative expenses. The fees for registration shall be provided for, from time to time, by resolution adopted by the City Commission of the City. Fees are non-refundable.

Sec. 15-275. - Responsible party required.

Whenever any property is required to be registered under this Article, the owner shall appoint a natural person to serve as the responsible party for service of notices as are specified herein, and notices given to the responsible party shall be sufficient to satisfy any requirement of notice to the owner. An initial Responsible party shall be designated and name submitted with the application for registration, and the city manager or his or her designee shall thereafter be notified of any change of responsible party within ten (10) days of such change. Further, it is the affirmative duty of the responsible party to:

- (1) Provide all guests prior to occupancy of the property with a written summary, printed in the English language, of applicable city

ordinances concerning noise, vehicle parking, garbage, and common area usage. The summary shall include citations to the applicable city ordinances and instructions on how to access the complete written text. The summary shall be posted in the interior of the structure prominently near the main entrance of the establishment; and

- (2) Maintain all properties under their control in compliance with this Code; and
- (3) See that the provisions of this article are complied with and promptly address any violations of this article or any violations of law which may come to the attention of the responsible party; and
- (4) Be available with authority to address and coordinate solutions to problems with the rental of the property twenty-four (24) hours a day, seven (7) days a week; and
- (5) Be situated close enough to the property as to be able to respond in person within one (1) hour of being notified by a vacation rental occupant, law enforcement officer, emergency personnel, or the city of issues related to the vacation rental. Responsible party shall respond when requested; and
- (6) Keep available a register of all guests, which shall be open to inspection by authorized personnel of the City at all times; and
- (7) Maintain the entire property free of garbage and litter, provided however, that this subsection shall not prohibit the storage of garbage and litter in authorized receptacles for collection; and
- (8) Conduct an on-site inspection of the vacation rental at the end of each rental period to ensure continued compliance with the requirements of this chapter.

Sec. 15-276. - False information.

It shall be unlawful for any person to give any false or misleading information in connection with the application for registration required by

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

this Article. Vacation rental applications shall be sworn to under penalty of perjury. Any false statements made in an application shall be a basis for the revocation of any license issued pursuant to such application.

Sec. 15-277. - Minimum Requirements for Issuance of a Certificate of Compliance.

- (a) The City Manager or his or her designee may issue a certificate of compliance to the applicant upon proof of the following:
 - (1) The owner or responsible party completes the City registration application form; and
 - (2) The non-refundable registration fee has been paid to the City; and
 - (3) A business tax receipt from the City pursuant to Chapter 15 of the Code of Ordinances; and
 - (4) A business tax receipt from Broward County; and
 - (5) A Florida Department of Revenue certificate of registration for purposes of collecting and remitting tourist development taxes, sales surtaxes and transient rental taxes; and
 - (6) A Florida Department of Business and Professional Regulation license as a transient public lodging establishment; and
 - (7) An affidavit, demonstrating maintaining initial and ongoing compliance with vacation rental standards contained herein, plus any other applicable local, state and federal laws, regulations and standards to include, but not be limited to F.S. Chapter 509, and F.A.C. 61C and 69A; and
 - (8) A copy of the form vacation rental/lease agreement to be used when contracting with transient occupants and guests; and
 - (9) That the vacation rental has satisfied the inspection requirements as provided in Section 15-279, of this Code; and

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

- (10) That the vacation rental is not subject to a suspension pursuant to Section 15-282.

Sec. 15-278. - Vacation Rental Standards.

The following standards shall govern the use of any vacation rental required to be registered under Section 15-272, of this Code, as a permitted use:

- (1) Minimum life/safety requirements:
- a. *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub shall comply with the current standards of the Residential Swimming Pool Safety Act, F.S. Chapter 515.
 - b. *Dwelling Units.* All dwelling units shall meet the minimum requirements of Article VI, Minimum Housing Code, Chapter 9, Buildings and Construction of this Code.
 - c. *Smoke and carbon monoxide (CO) detection and notification system.* A smoke and carbon monoxide (CO) detection and notification system within the vacation rental unit, shall be interconnected, hard-wired, and receive primary power from the building wiring. The smoke and carbon monoxide (CO) detection and notification system shall be installed and continually maintained consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code – Residential.
 - d. *Fire extinguisher.* A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.
 - e. That all vehicles associated with the vacation rental must be parked within a driveway located on the subject property and in compliance with this Code.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

- f. *Local telephone service.* At least one (1) landline telephone with the ability to call 911 shall be available in the main level common area in the vacation rental.

(2) *Maximum occupancy.*

- a. The maximum number of transient occupants authorized to stay overnight at any vacation rental shall be limited to two (2) persons per sleeping room. The number of sleeping rooms shall be confirmed by on-site inspection by a representative of the City, and
- b. The maximum number of persons allowed to gather at or occupy a vacation rental shall not exceed one and one-half (1 ½) times the maximum occupants authorized to stay overnight at that site, as shown on the certificate of compliance, and in no event shall a gathering exceed twenty (20) persons. This subsection b. shall not apply to owner-occupied vacation rentals when the property owner is physically present on the site during the gathering.
- c. Up to four (4) persons under thirteen (13) years of age are exempt from and shall not count towards the occupancy limits set in subsections a. and b. above.

- (3) *Solid waste handling and containment.* City solid waste containers shall be provided as required in Chapter 24 of this Code. Appropriate screening and storage requirements for solid waste containers shall apply per any development approval. For purposes of this section, a solid waste container shall not be placed at curbside before 6:00 p.m. of the day prior to solid waste pickup, and the solid waste container shall be removed from curbside before midnight of the day of pickup.

- (4) *Minimum vacation rental/lease agreement wording.* The vacation rental/lease agreement shall contain the minimum information as provided for in this subsection 15-278.

- (5) *Minimum vacation rental lessee information.* The vacation rental lessee shall be provided with a summary of the information required in subsection 15-278 with instructions on how to access the full text

and shall post the following conspicuously within the establishment:

- a. A statement advising the Occupant that any sound shall not be plainly audible for a period of one (1) minute or longer at a distance of twenty-five (25) feet or more when measured from the source property line between the hours of 10:00 p.m. and 7:00 a.m. daily and at a distance of fifty (50) feet or more when measured from the source property line between the hours of 7:00 a.m. and 10:00 p.m. daily;
 - b. A sketch or photograph of the location of the off-street parking spaces;
 - c. The days and times of trash pickup;
 - d. The notice of sea turtle nesting season and sea turtle lighting regulations, if applicable;
 - e. The location of the nearest hospital; and
 - f. The City's non-emergency police telephone number;
 - g. There shall be posted, next to the interior door of each bedroom a legible copy of the building evacuation map – Minimum eight and one-half (8½) inches by eleven (11) inches.
- (6) Designation of a vacation rental responsible party capable of meeting the duties provided in subsection 15-276.
- (7) *Advertising.* Any advertising of the vacation rental unit shall conform to information included in the vacation rental certificate of compliance and the property's approval, particularly as this pertains to maximum occupancy. A statement stating "it is unlawful for a sexual offender or sexual predator to occupy this residence" if so determined pursuant to subsection 15-278(8) of this Code and the certificate of compliance number shall be included in all advertising.

- (8) *Sexual offenders and sexual predators.* It is unlawful for any property owner or designated representative to allow another person to occupy any residential property as a vacation rental within the City, as a transient occupant if such property owner or designated representative knew or should have known that the vacation rental will be occupied by a person prohibited from establishing a permanent residence or temporary residence at said residential property pursuant to Section 16-127 of this Code, if such place, structure, or part thereof, trailer or other conveyance, is located within one thousand four hundred (1,400) feet of any school, designated public school bus stop, child day care facility, park or playground or other place where children regularly congregate as described in Article VI, Chapter 16 of this Code. Property owner or designated representative shall determine, prior to submission of an application for a certificate of compliance, whether the vacation rental property is located in an area in which it is unlawful for sexual offenders or sexual predators to establish residence pursuant to Section 16-127.
- (9) *Posting of Certificate of Compliance.* The certificate of compliance shall be posted on the back of or next to the interior of the main entrance door and shall include at a minimum the name, address and telephone number of the responsible party, the maximum occupancy of the vacation rental and a statement stating "it is unlawful for a sexual offender or sexual predator to occupy this residence" if so determined pursuant to subsection 15-278(8) of this Code.
- (10) That all vehicles associated with the vacation rental must be parked within a driveway in compliance with this Code.
- (11) *Other standards.* Any other standards contained within this Code and the Unified Land Development Regulations of the City to include, but not be limited to: noise, setbacks, stormwater and similar provisions.
- (12) The vacation rental shall be equipped with a noise level detection device alerting the property owner/responsible party and transient occupants to noise emanating from the vacation rental, and all data produced by this device will be retained for a period of one hundred eighty (180) days and made available to the City upon request.

Sec. 15-279. - Initial and Routine Compliance Inspections of Vacation Rentals.

- (a) An inspection of the dwelling unit for compliance with this section is required prior to issuance of an initial vacation rental certificate of compliance. If violations are found, all violations must be corrected and the dwelling unit must be re-inspected prior to issuance of the initial vacation rental certificate of compliance as provided herein.
- (b) Once issued, a vacation rental unit must be properly maintained in accordance with the vacation rental standards herein and will be re-inspected annually. For an inspection, all violations must be corrected and re-inspected within thirty (30) calendar days. Failure to correct such inspection deficiencies in the timeframes provided shall result in the suspension of the vacation rental certificate of compliance until such time as the violations are corrected and re-inspected.
- (c) The inspections shall be made by appointment with the vacation rental responsible party. If the inspector has made an appointment with the responsible party to complete an inspection, and the responsible party fails to admit the officer at the scheduled time, the owner shall be charged a "no show" fee in an amount to be determined by resolution of the City Commission to cover the inspection expense incurred by the City.
- (d) If the inspector(s) is denied admittance by the vacation rental responsible party or if the inspector fails in at least three (3) attempts to complete an initial or subsequent inspection of the rental unit, the inspector(s) shall provide notice of failure of inspection to the owner to the address shown on the existing vacation rental certificate of compliance or the application for vacation rental.
 - (1) For an initial inspection, the notice of failure of inspection results in the certificate of compliance not being issued; the vacation rental is not permitted to operate without a valid certificate of compliance.
 - (2) For a subsequent inspection, the notice of failure of inspection

is considered a violation and is subject to enforcement remedies as provided herein.

- (e) The City Commission may, by resolution, prescribe the circumstances under which the inspections required by this section may be waived.

Sec. 15-280. - Registration not transferable.

No registration issued under this Article shall be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.

Sec. 15-281. - Expiration of registration and certificates of compliance.

- (a) All registrations for which a certificate of compliance has been issued under the provisions of this Article shall be valid for no more than one (1) year, and all registrations and certificates of compliance shall expire on September 30th of each year. The application for renewal must be submitted no later than sixty (60) days prior to the September 30th expiration date. Late renewal fees shall be established by resolution of the City Commission and shall be charged to an application for renewal submitted prior to the expiration date but after the sixty (60) days required by this section. All applications for renewal received after September 30th shall be processed as a new application and subject to all applicable fees. All registrations for which certificates of compliance were issued within one hundred eighty (180) days prior to September 30th shall remain valid and shall not expire until September 30th of the following year.

Sec. 15-282. - Penalties, Offenses, and Revocation.

- (a) Any certificate of compliance issued pursuant to this Article may be denied, revoked, or suspended by the City Manager or his or her designee upon the adjudication of a violation of this Article, any City ordinance, or state law by the responsible party, property owner or transient occupant attributable to the property for which the certificate of compliance is issued. Such denial, revocation or

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

suspension is in addition to any penalty provided herein.

(b) Offenses/violations.

- (1) Non-compliance with any provisions of this article shall constitute a violation of this article.
- (2) Separate violations. Each day a violation exists shall constitute a separate and distinct violation, except that violations of subsection 15-278(2), regarding occupancy, shall constitute a single violation for a rental period.

(c) Remedies/enforcement.

- (1) Any person violating any of the provisions of this article shall be deemed guilty of a civil infraction. The amount of the civil penalty for each uncontested violation shall be ~~\$200.00~~ \$250.00 for the first offense, and for each contested violation the penalty shall be ~~\$275.00~~ \$325.00. Repeat violations shall be assessed consistent with Section 11-21, of this Code. Code enforcement activities will be in accordance with chapter 11 of this Code and the unified land development regulations of the City. Notwithstanding, a law enforcement officer is authorized to issue a citation under this section and a code inspector or law enforcement officer may issue a citation pursuant to this section without issuing a written warning notice as provided in subsection 11-18.b.
 - (2) *Additional remedies.* Nothing contained herein shall prevent the city from seeking all other available remedies which may include, but not be limited to, suspension or revocation of a vacation rental certificate of compliance, injunctive relief, liens and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.
- (d) Suspension of vacation rental certificate of compliance. In addition to any fines and any other remedies described herein or provided for by law, a special magistrate may suspend a vacation rental

certificate of compliance in accordance with the following:

(1) *Suspension time frames.*

- a. Upon a third violation of this Article the vacation rental certificate shall be suspended for a period of one hundred eighty(180) calendar days.
- b. Upon a fourth violation of this Article the vacation rental certificate shall be suspended for a period of three hundred sixty-five (365) calendar days.
- c. For each additional violation of this Article the vacation rental certificate shall be suspended for an additional thirty (30) calendar days up to a maximum period of twelve (12) months. For example, the fifth violation shall be for three hundred ninety-five (395) calendar days; the sixth violation shall be for four hundred fifteen (415) calendar days, and so on.
- d. A vacation rental certificate of compliance shall be subject to temporary suspension beginning five (5) working days after a citation is issued for a violation of the Florida Building Code, or Florida Fire Prevention Code. Such suspension shall remain in place until the vacation rental is reinspected and it is determined that the violation no longer exists by the City.

(2) *Suspension restrictions.* A vacation rental may not provide transient occupancy during any period of suspension of a vacation rental certificate.

- a. The suspension shall begin immediately following notice, commencing either:
 - i. at the end of the current vacation rental lease period; or

- ii. within thirty (30) calendar days, whichever date commences earlier, or as otherwise determined by the special magistrate.
- b. Operation during any period of suspension shall be deemed a violation pursuant to this article and shall be subject to daily fine, up to One thousand dollars (\$1,000.00) ~~or to the maximum amount as otherwise provided in Florida Statutes for repeat violations, for each day that the vacation rental operates during a period of violation.~~ per day per violation for a first violation, \$5,000 per day per violation for a repeat violation and up to \$15,000 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.
- c. An application for a renewal may be submitted during the period of suspension; however, no Certificate of Compliance may be issued for the vacation rental until the period of suspension has expired.

Sec. 15-283. - Complaints.

Whenever a violation of this Article occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the City Manager or his or her designee. The City Manager or his or her designee shall promptly record such complaint, investigate, and take action thereon in accordance with this Article and Chapter 11 of this Code.

Sec. 15-284. - Enforcement.

The provisions of this Article shall be enforced as provided in Chapter 11 – Code Enforcement, of this Code.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

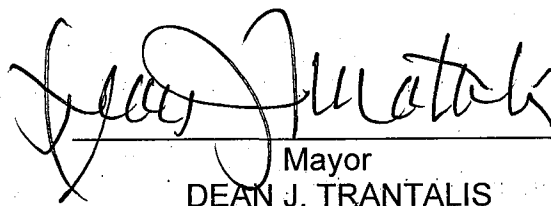
CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

SECTION 3 That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect on October 1, 2023.


PASSED FIRST READING this 5th day of September, 2023.

PASSED SECOND READING this 19th day of September, 2023.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN