

ORDINANCE 24-23-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA REQUIRING SHORT-TERM RENTAL REGISTRATIONS AT MULTI-FAMILY UNITS, INCLUDING CONDOMINIUM UNITS, WITHIN THE CITY OF DESTIN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; DISTINGUISHING BETWEEN SHORT-TERM RENTAL REGISTRATIONS FOR SINGLE-FAMILY HOMES AND SHORT-TERM RENTAL REGISTRATIONS FOR MULTI-FAMILY UNITS; RENAMING ARTICLE VI OF CHAPTER 13 "REGISTRATION OF SHORT-TERM RENTALS (SINGLE FAMILY) BUT MAKING NO OTHER AMENDMENTS TO THE REGULATIONS FOR SHORT-TERM RENTALS FOR SINGLE-FAMILY HOMES; CREATING ARTICLE VI(A) OF CHAPTER 13, "REGISTRATION OF SHORT-TERM RENTALS (MULTI-FAMILY); REQUIRING AN APPLICATION FOR SUCH REGISTRATION AND AUTHORIZING REGISTRATION FEES FOR SHORT-TERM RENTALS AT MULTI-FAMILY UNITS; REQUIRING A LOCAL RESPONSIBLE PARTY FOR SHORT-TERM RENTALS AT MULTI-FAMILY UNITS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this Ordinance is Article I, Section I .01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Pan II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council has deemed it necessary to amend the existing Code of Ordinances to provide for revisions to the short-term rental registration process to require registration for condominiums (which are multi-family units) and associated regulations; and

WHEREAS, because many of the impacts to the adjacent properties and surrounding community are different in the cases of single-family homes and multi-family units, the City Council desires to create separate regulations to address the impacts created by short-term rentals located in multi-family units and multi-family residential areas; and

WHEREAS, the City Council previously adopted a fee associated with the registration of short-term rentals in single-family homes, and desires to authorize a fee or fees for registration of condominium short-term rentals as well, which fee(s) shall be set forth in the City's fee resolution and separately approved by the City Council; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in section three (3) of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Code of Ordinances that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF CODE OF ORDINANCES CHAPTER 13: Chapter 13 of the Code of Ordinances is hereby amended as follows:

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ARTICLE VI. REGISTRATION OF SHORT-TERM RENTALS (SINGLE-FAMILY)

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ARTICLE VI(A) - REGISTRATION OF SHORT-TERM RENTALS (MULTI-FAMILY)

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Sec. 13-135-139. Registration of Multi-Family (Condominium) Units Required. - Reserved.

(a) It shall be unlawful within the City of Destin, for any person to allow another person to occupy any condominium unit for one hundred and eighty days or less, or offer such rental services within the City of Destin, unless the unit has been registered with the City of Destin in accordance with the provisions of this Article VI(A). For purposes of this Article VI(A), short-term rental shall mean any occupancy of any condominium unit for a period of time between one (1) day to no more than six (6) months. Condominium units are as defined in Chapter 718, Florida Statutes.

(b) 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.

(c) All registrations issued under the provisions of this article shall be valid for no more than one (1) year, and all registrations shall expire on March 1 of each year. Registrations that are not renewed by March 1 of each year may be renewed up to the last business day in June of that year without paying a late renewal fee. Owners who do not renew their registrations before the last business day in June shall pay the appropriate late renewal fee as established, from time to time, by the City Council of the City of Destin.

Sec. 13-136. - Fees for registration.

The City of Destin is authorized and shall charge 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 Council of the City of Destin. If a property owner fails to register their short term rental in a timely manner, fines will be imposed consistent with the schedule of fees as amended. If a property owner fails to register their short-term rental unit within 90 days of receipt of the notice to register, the property owner is subject to code compliance proceedings.

(a) Every property owner required to procure a registration under the provisions of this article Applications for registration shall set forth and/or include at a minimum:

- (1) Address, unit number, name of the unit offered for short-term rental;
- (2) Name, address, and phone number of owner of said unit;
- (3) Name, address, and emergency contact phone number of responsible party for said unit, which shall be a twenty-four-hour, seven (7) days a week contact number;
- (4) That the phone number for the responsible party will be answered twenty-four (24) hours a day, seven (7) days a week by a party with authority to address or coordinate problems associated with the unit;
- (5) Proof of owner's current ownership of the unit(s);
- (6) Acknowledgements by owner of the following:
 - a. That all vehicles must be parked in the driveway, garage or other city approved parking space for the unit and clear of all grassy areas and sidewalk sections for pedestrian traffic pursuant to City of Destin Code of Ordinances, Section 19, Traffic and Motor Vehicles;
 - b. That it shall be unlawful to allow or make any noise or sound which exceed the limits set forth in Chapter 14, Art. 2;

(b) It shall be unlawful for any person to give any false or misleading information in connection with the application for registration required by this article.

(c) The city manager or city manager's designee shall issue a registration to the applicant upon proof of the following:

- (1) The owner and/or responsible party completes the City of Destin registration application form;
- (2) The registration fee has been paid to the City of Destin; and
- (3) Incomplete registration applications are unacceptable and requested registration shall not issue.

Sec. 13-138. - Responsible party required.

(a) Whenever any property is required to be registered under this article, the owner shall appoint a person to serve as the local 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. The owner shall notify the city manager or city manager's designee in writing of the appointment within five (5) days of being required to make such appointment, and shall thereafter notify the city manager or city manager's designee of any change of responsible party within fifteen (15) days of such change. Further, it is hereby made the affirmative duty of the responsible party to:

- (1) Inform all residents prior to occupancy of the unit of applicable City of Destin Ordinances and any applicable property owners' or homeowners' association rules concerning noise, vehicle parking, occupancy limits and garbage;
 - a. Information shall include, but not be limited to, the following:
 - i. It is unlawful to allow or make any noise or sound which exceed the limits set forth in Chapter 14, Article 2;
 - ii. All trash shall be properly disposed of in authorized receptacles for collection. It is recognized that multi-family units typically utilize

garbage dumpsters intended for all or a portion of the units, however, if any unit utilizes one or more individual trash canisters, then section 13-109(4) regulating single-family short term rentals shall apply to the multi-family unit.

- iii. All requirements applicable to the condominium for parking and enforcement.
 - iv. A list of safety information including safety procedures for any amenities including any pool, spa, fitness facility, playground, or other amenity at the property.
 - v. A list of contact numbers for public safety, including but not limited to the local responsible party, sheriff's office, and city code compliance office.
- (2) 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;
 - (3) Be available with authority to address or coordinate problems with the rental of the unit twenty-four (24) hours a day, seven (7) days a week;
 - (4) Store garbage and litter in authorized receptacles for collection.

(b) 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 city manager's designee. The city manager or designee shall record properly such complaint, investigate, and take action thereon in accordance with sections 14-71—14-85, City of Destin Code of Ordinances.

(c) The city manager or city manager's designee shall, in connection with their duties imposed by law, diligently enforce the provisions of this article.

(d) Any registration issued pursuant to this article may be denied, revoked, or suspended by the city for the violation by the owner of this article, any City of Destin Ordinance, or state law. Such denial, revocation or suspension is in addition to any penalty provided herein. Additionally, the provisions of this Article may be enforced by Chapter 14 of this Code, or by any legal or equitable means available to the City of Destin.

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SECTION 4. INCORPORATION INTO CODE OF ORDINANCES. This ordinance shall be incorporated into the City of Destin's Code of Ordinances and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS 3 DAY OF March, 2025.


By: Bobby Wagner, Mayor

ATTEST:


Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney, for the City of Destin, only:


Kimberly Romano Kopp, City Attorney

First Reading: February 18, 2025
Second Reading: MARCH 3, 2025