

## AN ORDINANCE CREATING A REGISTRY FOR SHORT-TERM RENTAL OF PROPERTY

Pursuant to authority granted by § 15.2-983 of the Code of Virginia, 1950, as amended, after public hearing duly advertised and conducted, **BE IT HEREBY ORDAINED** by the Board of Supervisors of Floyd County, Virginia, as follows:

### **Sec. 46 -- 400. Creation of Registry for Short-Term Rental of Property.**

A. As used in this section:

"Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

"Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

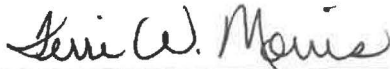
- B. There is hereby established in the County of Floyd, Virginia, a registry for all property in Floyd County offered for short-term rental, to be maintained by the Commissioner of the Revenue. Prior to offering any property located in Floyd County for short-term rental, each operator thereof shall register, and pay a registration fee of \$ 50. Each registration shall remain valid for a term of one (1) year, and shall be renewed by the operator annually for every year that such operator offers short-term rentals within the County.
- C. An operator may register more than one property on a single registration and upon payment of a single fee. Subsequent additions of property to an existing registration shall incur an additional fee.
- D. Any operator required to register under this ordinance who offers a property as a short-term rental without having first registering such property with the County shall be presented with a notice of violation and assessed a penalty of \$500 for each such occurrence. Notices of violation shall be posted on the property and mailed by First-Class U.S. Mail to the address shown on the property tax records of the County. Each day that such short-term rental is offered without registration shall constitute a separate occurrence. Any operator assessed a penalty shall be prohibited from offering the property as a short-term rental until the penalty is paid and the property is registered as a short-term rental property. The Commissioner of the Revenue for Floyd County is hereby empowered to issue notices of violation and impose the penalty provided for herein.
- E. Any operator who is found to have violated this ordinance or other applicable state laws, County ordinances or other regulations relating to short-term rentals, on more

than three (3) occasions shall be prohibited from registering and offering the property in question for short-term rental.

- F. The obligations and remedies imposed herein are in addition to all other provisions of law, including without limitation the requirements imposed under Chapter 47 of the Floyd County Code of Ordinances.
- G. No registration shall be required pursuant to this section who is (i) licensed by the Real Estate Board or is a property owner who is represented by a real estate licensee; (ii) registered pursuant to the Virginia Real Estate Time-Share Act (§ 55-360 et. seq., Code of Virginia); (iii) licensed or registered with the Department of Health, related to the provision of room or space for lodging; (iv) licensed or registered with the County of Floyd related to the rental or management of real property, including licensed real estate professionals, hotels, motels, campgrounds, and bed and breakfast establishments.

This Ordinance was duly adopted this 25th of July, 2017

ATTEST



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Terri W. Morris  
County Administrator