



Vacation Rental Certificate

City Commission Workshop
September 24, 2015

Page 1-2: Vacation Rental Application Process

- Application
- Affidavit of Property Manager/Owner
- Confirmation of Data by Staff

Page 2-3: Elements to Consider for the Vacation Rental Ordinance

- Definitions
- Elements to Add to the Vacation Rental Ordinance

Page 3-4: Enforcement of the Vacation Rental Certificate

- Code Enforcement
- Police Department
- Property Management Companies

Vacation Rental Application Process

Application

The Vacation Rental Application shall contain the following information:

- Property Management
 - ✓ Name
 - ✓ Address
 - ✓ Phone
 - ✓ Emergency Contact and Phone
 - ✓ E-mail
- Property Owner
 - ✓ Name
 - ✓ Address
 - ✓ Phone
 - ✓ Emergency contact and Phone
- Vacation Rental Address
- Proof of Ownership
 - ✓ Copy of recorded deed (attachment)
 - ✓ Recent profile from Property Appraiser (attachment)
 - ✓ Verification of active status for corporate owners (attachment)
 - ✓ Taxpayer identification number for owners not U.S. citizens
- Parcel ID#
- Property Description
 - ✓ Single Family
 - ✓ Duplex
 - Copy of recorded party wall agreement (attachment)
 - ✓ Condominium
 - Copy of proof of active condominium association (attachment)
 - ✓ Number of Bedrooms
 - ✓ Number of onsite parking spaces

Affidavit of Property Manager/Owner

The Affidavit of the Property Manager/Owner shall be a single page checklist attesting to compliance:

- FEMA Compliance (use of ground level space)
- Active DBPR License
- Annual Resale Certificate for Sales Tax/State

- Resort Tax/Manatee County
- Active Condominium Association
- Life Safety Issues
 - ✓ Pools (drains, lighting, pump, water quality, inspection schedule)
 - ✓ Pool Slides and Diving Boards (compliant with ordinance)
 - ✓ Fire (lighting, egress, stairwells, handrails, fire extinguishers, smoke detectors)
 - ✓ Safety information posted in rental unit and also given to tenants upon check-in (emergency contacts and numbers, maximum occupancy, solid waste/recycling, sea turtles, evacuation plan, parking, noise)

Confirmation of Data by Staff

Staff should quality control the application and attached documents:

- Application completely filled out
- Appropriate signatures affixed
- All required documents attached
- Number of bedrooms verified
- Open code violations
- LDC compliance done by field inspection
 - ✓ Buffering and screening
 - ✓ Parking
- Payment of Vacation Rental Certificate
- Issuance of Vacation Rental Certificate
- Scheduled inspection by Code Enforcement
- Passed inspection
 - ✓ Issuance of color-coded decal to be placed in front window of rental property
- Failed inspection
 - ✓ Violation by Code Enforcement with time to bring into compliance

Elements to Consider for the Vacation Rental Ordinance

Certain terms must be defined before drafting a Vacation Rental Ordinance:

Definitions

- "Occupant" must be defined
- "One family per rental unit" must be defined
- "Irreversible fines" must be defined

- All definitions found in the LDC regarding resort rentals must be incorporated by reference into the Vacation Rental Ordinance

Elements to Add to the Vacation Rental Ordinance

Decisions about the language of the Vacation Rental Ordinance must be made:

- Accessory structures such as grottos, diving platforms and waterfalls should be prohibited in vacation rentals
- Consider requiring duplexes to have electronically monitored smoke detectors
- Consider requiring maximum occupancy on rental sign
- Consider requiring rental sign to be parallel to the structure rather than near the street and perpendicular to the structure
- Consider requiring the vacation rental certificate number to be placed on all advertising
- Consider requiring that all vacation rental advertising conform with City ordinances
- Consider requiring language concerning nonconformities as to conversion of use
- Consider requiring a statement that change of use from residential to resort housing is subject to acquiring a vacation rental certificate
- Consider requiring a schedule of fee/fines directly connected to vacation rentals
- Consider requiring language concerning irreversible fines for violations

50 x 5
250
2 1/2

Enforcement of the Vacation Rental Certificate

There must be an enforcement component to the Vacation Rental Certification program:

Code Enforcement

- Scheduled inspections upon submission of vacation rental application
 - ✓ Exterior for parking, buffering/screening, solid waste/recycling carts
 - ✓ Interior of unit for proper fire safety issues, unit information for tenants, verification of bedrooms, pool safety issues
 - ✓ Inspector verifies the property management affidavit with his inspection punch list
- Transfer of Property Manager to another company does not require a new application if the property itself has passed an annual inspection (colored decal in window)
 - ✓ Certificate of transfer of management is filled out and attached to the application
- Renewals of vacation rental certification shall be done every two years
- Random inspections shall be done on rentals accruing code violations or police citations for violation of noise ordinance

1500

- All inspections shall be scheduled

Police Department

- Police will enforce the noise ordinance
- Police will enforce parking regulations established by ordinance

Property Management Companies

Property Management companies will self-regulate by participating in an "island living" program in partnership with the City of Holmes Beach in the spirit of the Comprehensive Plan which acknowledges "to a limited degree [that the City of Holmes Beach] is a resort community"; but that the City desires "to maintain what it considers to be its most important attribute; that of a residential community."

- Points shall be given for voluntary participation in this program of excellence
- Recognition shall be given annually to participants
- Points shall be given for
 - ✓ Attendance at Code Enforcement seminars and City updates
 - ✓ Literature explaining ordinances (parking, noise, solid waste, etc.) given out upon tenants' check-in)
 - ✓ No violations within the two year period
 - ✓ Violations are brought into compliance within stipulated time