

Vacation Rentals

1. Definitions:

A. *Vacation Rental:* Any residential dwelling or dwelling unit which is rented or leased, or which is advertised or held out to the public as a dwelling which may be regularly rented or leased, for a period of less than 30 days.

B. *Commercial Event at Vacation Rental:* any gathering of people for an occasion or celebration that may include but not be limited to a: birthday, anniversary, wedding, reunion, party or sporting event which is:

- 1) Held or occurring at a Vacation Rental, which is
- 2) Leased or rented by the owner or the owner's agent, formally or informally, in exchange for money or other valuable consideration.

A charitable event or community event is excluded from this definition.

C. *Designated Responsible Party:* The owner, or any person eighteen (18) years of age or older designated by the owner, tasked with responding to requests, complaints, or other problems relating to or emanating from the vacation rental. There shall only be one designated responsible party for each vacation rental. An owner may retain a private property management company to serve as the designated responsible party.

D. *Bedroom:* Any room used principally for sleeping purposes and meeting applicable building code requirements for a bedroom.

E. *Town:* The Town of St. Lucie Village, Florida.

F. *Dwelling:* Any building or portion thereof designed for or used for residential purposes.

G. *Dwelling Unit:* A room or group of rooms within a dwelling that forms a single independent habitable unit used or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by only one family.

2. Vacation rental registration:

A. No person or entity shall operate a Vacation Rental within the Town without first registering with the Town's Clerk. All currently existing vacation rentals shall register by _____, 2022.

B. The owner of a Vacation Rental or the Designated Responsible Party shall submit a registration request to the Clerk for each Vacation Rental.

C. Registration requests shall be accompanied by a registration fee established in accordance with Section 7, below, and include:

- 1) The names of the Vacation Rental owner and Designated Responsible Party's contact information (cell phone number, email address, mailing address).
- 2) Documentation that the applicant has obtained the following:
 - a. State Department of Business and Professional Regulation license for each Vacation Rental
 - b. State Department of Revenue Sales Tax account
 - c. Local tourist tax account from the St. Lucie County Tax Collector
- 3) The following information concerning parking, occupancy and dock availability:
 - a. The number of parking spaces provided for each Vacation Rental. In determining the number of spaces, accessible spaces in a garage or carport may be counted, as may spaces in an existing area improved for parking. Space for parking in an existing driveway may also be counted, provided that there shall be no parking on any sidewalk or within 5 feet of the paved surface of the road. No portion of a property located within a required setback shall otherwise be counted as a parking space, except that one recreational vehicle or boat (neither of which may exceed 35 feet in length or 14 feet in height), may be stored in the front setback in accordance with Section 3.5.7(A)(I)(h) of the Zoning Ordinance dealing with Outdoor Storage.
 - b. The number of bedrooms and the number and size of all beds in the Vacation Rental, plus the maximum occupancy, calculated at one person per bed, except that full size mattress or larger may be counted as two persons.
 - c. The number of bathrooms in a Vacation Rental?
 - d. The number of boat slips and/or lifts available on any dock.
- 4) Verification that all sanitation and safety requirements established by the State and by the Florida Building Code, have been met.
- 5) Acknowledgment by the owner of the Vacation Rental and any designated responsible party of the following requirements for Vacation Rentals:
 - a. That Commercial Events at Vacation Rentals are prohibited at any Vacation Rental, and that, if the owner is not on the premises at the time

of such an event, it shall create a rebuttable presumption of a violation of this section.

- b. That a Commercial Event, as defined at Ordinance 2021-3, at any Vacation Rental located in a residential zoning district is also prohibited.
 - c. That any noise that is audible from an adjacent property from 10:00 p.m. to 7:00a.m. No amplification system, device or sound system speakers, shall be used outdoors, or indoors, in a manner that is audible from an adjacent residential property.
 - d. That no more than one boat per permitted dock slip/lift is allowed; and, the dock may be used by unit owner or renter only; and, no live-aboard use is permitted.
 - e. That parking and occupancy are subject to limitations, calculated in accordance with Section 2(C)(3) above.
- 6) Acknowledgement that the following information will be posted or displayed inside the vacation rental unit prior to rental (or continued rental) of the unit and shall thereafter be continuously posted or displayed inside the vacation rental unit:
- a. Property address
 - b. Designated responsible party contact information:
 - (i) The name and telephone number of the designated responsible party shall be prominently posted on the front exterior of the vacation rental in a place visible to the public.
 - (ii) The designated responsible party must be available at the posted telephone number twenty-four (24) hours a day, seven (7) days a week and capable of directly responding, or directing a designated agent to directly respond, to and resolve any issues or concerns raised by renters Town staff, or law enforcement when the vacation rental is occupied. If necessary, the designated responsible party must be willing and able to come to the vacation rental unit within two (2) hours following notification to address any issue that is not capable of being addressed by telephone.
 - c. Maximum number of boats, and recreational or other motor vehicles, that can be kept at the dock and parked at the Vacation Rental, and a diagram or description of approved parking locations.

- d. Trash and recycling pick-up days and protocol for placing and retrieving waste management containers
- e. Noise regulations: No noise that would be audible from an adjacent property from 10:00 p.m. to 7:00a.m. No amplification system, device or sound system speakers, shall be used outdoors, or indoors, in a manner that is audible from an adjacent residential property.
- f. That the Vacation Rental may not be rented for an event, that is a gathering of people for an occasion or celebration, and may not be used in a way which results in off premises parking or noise impacts.
- g. That pursuant to local law, dog owners shall, at all times, keep their animals under control, either by restricting the dog to the Vacation Rental or by having it under control by leash, voice command or other method, so as to prevent injury to person, other animals or property.
- h. Location of smoke alarms, emergency lighting, and fire extinguisher
- i. Emergency information
- j. Maximum sleeping occupancy (number of persons)
- k. That animal nuisances, including a dog or cat which attacks other animals or damages property, or which barks, whines or howls in an excessive, continuous or untimely fashion, are prohibited.
- l. That loud noises and activities nuisances, such as operating or playing a device, instrument or appliance which makes music or noise that is audible at a distance of 50 feet therefrom during the hours of 10:00 p.m. to 7:00 a.m., are prohibited.
- m. That streets, sidewalks and parking nuisances, such as parking on medians, blocking a sidewalk, or parking on private property without permission, are prohibited.

D. The owner of a vacation rental unit or the designated responsible party shall renew the registration required herein every 12 months by confirming that the information accompanying the original registration request is still accurate or advising of any changes, and concurrently submitting a renewal fee established in accordance with Section 7, below.

E. To avoid any misunderstanding by a renter, occupancy, parking and use limitations shall be included in any advertising.

3. **Vacation rental local regulations:**

- A. To the extent that there is no conflict with these vacation rental regulations, all Town regulations applicable to a residential unit that is not operated or used as a vacation rental unit shall also apply to a vacation rental unit.
- B. No commercial event may be held at any Vacation Rental. If the owner of the property is not on the premises at the time of a commercial event at residence, it shall be a rebuttable presumption of a violation of this section.
- C. Any noise that is audible from an adjacent property from 10:00 p.m. to 7:00a.m. is prohibited. No amplification system, device or sound system speakers, shall be used outdoors, or indoors, in a manner that is audible from an adjacent residential property.
- D. No more than one boat is permitted per dock slip/lift; a dock may only be used by unit owner or renter only; and, no live-aboard use is permitted.
- E. Parking and storage of boats and recreational vehicles shall conform to the requirements and limitations set forth above.
- F. Vacation Rental Special Parking Regulations:
- 1) Parking shall be limited to the number of spaces and locations set forth in the application.
 - 2) All automobiles, except for service and delivery vehicles, shall be parked on-site and shall not be parked within a road right-of-way
 - 3) Automobiles shall not obstruct any sidewalks or pedestrian walkways.
- G. The overnight maximum sleeping occupancy of a vacation rental unit shall be determined as set forth above [? - or] not exceed two (2) persons per bedroom plus two (2) additional persons. Notwithstanding the above, a maximum (cap) of ten (10) persons shall apply to each unit.
- H. Fire protection items required for the State vacation rental license and by the Florida Building Code shall be provided in the vacation rental unit.
- I. Changes in the designated responsible party and/or changes in the designated responsible party's contact information shall be provided to the Clerk within ten (10) days of the change.
- J. The local registration fee receipt number, the occupancy limit, the maximum number of vehicles allowed to be parked on site outside any garage or carport, the prohibition on commercial events and the noise regulations statement contained in these regulations, shall

appear or be stated in any vacation rental unit advertisement or any rental offering associated with a vacation rental unit.

K. Each year, the applicant shall submit a copy of a valid current state license to the Town Clerk upon renewal of their registration, including payment of a renewal fee.

4. **Interim Operation of Vacation Rental Unit:**

Because of the length of time it may take to comply with all of the new requirements on this section, all vacation rental owners may lawfully operate until _____, 2022, to obtain a registration fee receipt from the Town and come into full compliance with the new standards and requirements imposed by this section.

5. **Claim of Contract Impairment:**

It is not the intent of this ordinance to impair any existing contracts, leases, or reservations that are evidenced by writing. An owner who asserts the enacted ordinance amendment impairs a vacation rental contract in effect on or before adoption of these regulations, shall submit the contract, lease or reservation, evidenced in writing, to the Clerk for review and consideration.

6. **Enforcement:**

A. Enforcement of compliance with the provisions of this Ordinance may be pursuant to Ordinance 2018-3, the provisions of which are incorporated herein by reference. Moreover, failure to comply, including failure to register or renew registration, will result in suspension of the right to operate the residence as a vacation rental. During any period of suspension, a unit may not be operated as a vacation rental.

B. In addition to any other remedy available to the Town, the town or any adversely affected party may enforce this section in law or equity. Any citizen of the Town may seek injunctive relief to prevent a violation of this section.

C. The remedies provided herein are not intended to be exclusive.

7. **Schedule of Regulatory Fees:**

A fee schedule shall be adopted by resolution of Town Board of Aldermen for initial registration, renewals, transfer of ownership, and for such other reasonable charges of regulation as Board determines necessary.

SECTION 2: Conflict. In the event that any previously adopted ordinance or portion thereof conflicts herewith, the provisions herein shall take precedence and apply to any vacation rentals.

SECTION 3: Severability. If any provision of this ordinance or the application hereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions.

SECTION 4: Effective Date. This Ordinance shall take effect upon its final reading and approval.