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**Exhibit 1**  
**ORDINANCE NO. 2017-**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 7 "BUSINESSES", ARTICLE XIV VACATION RENTALS; SPECIFICALLY AMENDING SECTION 7-467 ENTITLED "LICENSE REQUIRED"; SPECIFICALLY AMENDING SECTION 7-468 ENTITLED "APPLICATION FOR VACATION RENTAL LICENSE"; SPECIFICALLY AMENDING 7-476 ENTITLED "MINIMUM SAFETY AND OPERATIONAL REQUIREMENTS", TO REQUIRE A VACATION RENTAL LICENSE FOR ALL VACATION RENTALS WITHIN CITY LIMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the 2011 Florida Legislature enacted House Bill 883 (Florida Chapter 2011-119, Laws of Florida) which preempted the local regulation of specific land use commonly called short-term vacation rentals (transient rentals less than thirty (30) days in duration and commonly located in residential areas); and

**WHEREAS**, the 2014 Florida Legislature enacted Senate Bill 356 (Florida Chapter 2014-71, Laws of Florida) which rescinded the previous preemption on local regulation of short-term vacation rentals, but provided that a local law, ordinance, or regulation adopted after June 1, 2011 may not prohibit short-term vacation rentals or regulate the duration or frequency of rental of vacation rentals; and

**WHEREAS**, adoption of SB 356 permits local government to enact legislation to mitigate the effects of short-term vacation rentals in an attempt to make them safer, more compatible with existing neighborhoods, and accountable for their proper operation; and

**WHEREAS**, on February 17, 2016, the City of Hallandale Beach adopted Ordinance No. 2016-02, which created Article XIV of Chapter 7 of the Code of Ordinances entitled "Vacation Rental License" to provide for vacation rental licensing requirements for vacation rentals in single-family dwelling units; and



69 Only Vacation Rentals holding an active Vacation Rental license issued by the City of  
70 Hallandale Beach may operate within the City. Prior to the issuance of a Vacation Rental  
71 license, ~~the City shall ensure~~ Vacation Rental Agent has the affirmative duty to ensure that the  
72 building dwelling unit in which the Vacation Rental is or will be located, is in full compliance with  
73 the appropriate portions of the Florida Building Code and the Florida Fire Prevention Codes. A  
74 separate Vacation Rental license shall be required for each Vacation Rental.

75  
76 Any agreements for vacation rentals which were entered into prior to February 17, 2016  
77 located in single family residential districts RS-5, RS-6, and RS-7, as indicated on the City's  
78 Zoning Map shall be vested under this ordinance. Any agreements for vacation rentals which  
79 were entered into prior to (date of enactment), 2017 located in a district other than single family  
80 residential districts RS-5, RS-6, and RS-7, as indicated on the City's Zoning Map shall be  
81 vested under this ordinance.

82  
83 **7-468 APPLICATION FOR VACATION RENTAL LICENSE.**

84  
85 (A) A property owner seeking initial issuance of a Vacation Rental license, or the  
86 renewal, or modification of a Vacation Rental license, shall submit to the City a completed  
87 Vacation Rental license application in a form promulgated by the City, together with an  
88 application fee in an amount set by resolution of the City Commission.

89  
90 (B) A complete application for the initial issuance, or renewal, or modification, of a  
91 Vacation Rental license shall demonstrate compliance with the standards and requirements set  
92 forth in this chapter through the following submittals:

93 (1) A completed Vacation Rental license application form, which must  
94 identify; the property owner, address of the Vacation Rental, Vacation Rental Agent, and the  
95 phone number of the Vacation Rental Agent.

96 (2) Payment of applicable fees.

97 (3) A copy of the Vacation Rental's current and active license as a Transient  
98 Public Lodging Establishment with the Florida Department of Business and Professional  
99 Regulation, if such license is required.

100 (4) A copy of the Vacation Rental's current and active certificate of  
101 registration with the Florida Department of Revenue for the purposes of collecting and remitting

102 sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the  
103 Florida Department of Revenue.

104 (5) Evidence of the Vacation Rental's current and active account with the  
105 Broward County Tax Collector for the purposes of collecting and remitting tourist development  
106 taxes and any other taxes required by law to be remitted to the Broward County Tax Collector.

107 (6) A copy of the current Certificate of Occupancy for the building in which  
108 the Vacation Rental is or will be located, which will be reviewed by the City's Building Official. If  
109 the Building Official determines a change of occupancy is required, vacation rental agent must  
110 provide an affidavit of compliance signed and sealed by a licensed architect or engineer, and  
111 submit an application for Change of Occupancy.

112 (7) A copy of the current Local Business Tax Receipt.

113 (8) *Interior building sketch by floor.* A building sketch by floor shall be  
114 provided, showing a floor layout and demonstrating compliance with the standards and  
115 requirements set forth in this chapter. The sketch provided shall be drawn to scale, and shall  
116 show and identify all bedrooms, other rooms, exits, hallways, stairways, smoke and carbon  
117 monoxide detectors, fire extinguishers and exit signage/lighting.

118 (9) A sketch showing the number of parking spaces and the location of  
119 parking spaces for the Vacation Rental.

120 (10) An affidavit certifying that each room has been equipped with smoke  
121 detectors per NFPA regulations.

122 (11) Evidence indicating the number of occupants that can inhabit the house.

123 (12) A report from licensed professional/s certifying compliance with Section  
124 7-476 of this chapter.

125 (13) Proof of compliance with Section 7-480 of this chapter.

126 (14) An affidavit that the dwelling unit in which the Vacation Rental is or will be  
127 located is in compliance with all applicable city, county, state and federal  
128 laws, rules, regulations, ordinances and statutes.

129 (15) For vacation rental units located in a condominium association or  
130 homeowner's association, an affidavit of compliance with the  
131 Association's rules.

132 (C) Incomplete applications will not be accepted, but will be returned with any fees  
133 submitted to the property owner with a notation of what items are missing.

134 (D) Vacation Rental license applications shall be sworn to under penalty of perjury  
135 and false statements in an application shall be a basis for the revocation of any license issued  
136 pursuant to such application.

137 (E) Failure to procure a vacation rental license may subject violators to notices of  
138 violation, civil citations, or any other remedies available to the City.

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\* \* \*

141 **7-476 MINIMUM SAFETY AND OPERATIONAL REQUIREMENTS.**

142

143 It is the affirmative duty of the Vacation Rental Agent to ensure that Vacation Rentals in  
144 the City shall meet the following minimum safety and operational requirements, and the  
145 applicable standards under the Florida Statutes, Florida Building Code and the Florida Fire  
146 Prevention Code. Whenever there is an inconsistency among the requirements of this section,  
147 the Florida Statutes, the Florida Building Code, or the Florida Fire Prevention Code, the most  
148 restrictive requirement shall apply. In addition, the Vacation Rental Agent has the affirmative  
149 duty to ensure the following requirements are met:

150 (A) *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub offered  
151 or made available as an amenity at a Vacation Rental shall comply with ~~the current standards of~~  
152 ~~the Residential Swimming Pool Safety Act, Chapter 515,~~ Florida Statutes. The property owner  
153 shall cause the swimming pool drain system, any underwater lighting system, and the electrical  
154 pump system of such swimming pools, spas, and hot tubs to be inspected annually by an  
155 appropriately licensed technician. The Vacation Rental Agent shall maintain a  
156 contemporaneous log of such inspections, which shall be made available to the City for  
157 inspection upon request during normal business hours.

158 (B) *Bedrooms.* All bedrooms within a Vacation Rental shall meet the applicable  
159 requirements of the Florida Building Code, and the Florida Fire Prevention Code.

160 (C) *Smoke and carbon monoxide (CO) detection and notification system.* A fully  
161 operational smoke alarm and carbon monoxide (CO) alarm system shall be installed within the  
162 Vacation Rental and maintained on a continuing basis consistent with the requirements of  
163 ~~Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms,~~ of the Florida  
164 Building Code ~~Residential.~~

165 (D) *Fire extinguisher.* A portable, multi-purpose dry chemical 2A:10B:C fire  
166 extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each

167 floor of a Vacation Rental. The extinguisher(s) shall be installed on the wall in an open common  
168 area or in an enclosed space with appropriate markings visibly showing the location of the fire  
169 extinguisher.

170 (E) *Emergency egress maintenance and lighting.* Halls, entrances and stairways  
171 within a Vacation Rental shall be clean, ventilated and well lit day and night. Hall and stair  
172 runners shall be kept in good condition. Rails shall be installed on all stairways and around all  
173 porches and steps.

174 (F) *Local phone service.* At least one landline telephone with the ability to call 911  
175 shall be available in the main level common area in the Vacation Rental.

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\* \* \*

178 **Section 2. Codification.** That it is the intention of the City Commission and it is  
179 hereby ordained that the provisions of this ordinance shall be made a part of the Code of  
180 Ordinances of the City of Hallandale Beach, Florida, and the sections of this Code may be  
181 renumbered to accomplish such intention.

182 **Section 3. Severability.** In the event that any section or provision of this ordinance or  
183 any portion thereof, any paragraph, sentence or word be declared by a court of competent  
184 jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a  
185 whole or part thereof other than the part declared to be invalid.

186 **Section 4. Conflict.** All ordinances or parts of ordinances and all resolutions or parts of  
187 resolutions in conflict herewith are hereby repealed.

188 **Section 5. Effective Date.** This ordinance shall take effect upon adoption.

189 PASSED AND ADOPTED on 1<sup>st</sup> reading on \_\_\_\_\_, 2017.

190 PASSED AND ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, 2017.

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JOY F. COOPER  
MAYOR

SPONSORED BY: VICE MAYOR KEITH LONDON

ATTEST:

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204  
205 \_\_\_\_\_  
206 MARIO BATAILLE, CMC  
207 CITY CLERK  
208  
209 APPROVED AS TO LEGAL SUFFICIENCY AND  
210 FORM  
211  
212  
213  
214 \_\_\_\_\_  
215 JENNIFER MERINO  
CITY ATTORNEY