

ORDINANCE 397-2007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 9 BUSINESS TAXES, PERMITS AND BUSINESS REGULATIONS, ARTICLE II. RESIDENTIAL RENTALS, SECTION 9-21 DEFINITIONS AND SECTION 9-26 MISCELLANEOUS REQUIREMENTS; REPEALING ANY CONFLICTING OR INCONSISTENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission desires for all vacation rental properties to have a local contact who will be available to support enforcement efforts; and

WHEREAS, the City Commission finds the current requirement for local contracts restricts property owners living in Monroe County from having direct oversight of their property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF KEY COLONY BEACH, FLORIDA, as follows (Additions to the ordinance are underlined; deletions are ~~crossed-out~~):

CHAPTER 9. BUSINESS TAXES, PERMITS AND BUSINESS REGULATIONS

ARTICLE II. Residential rentals.

Section 9-21. Definitions.

The words and phrases used in this ordinance shall have the meanings defined below:

Local Contact Person means a person having a certificate of qualification from the City of Key Colony Beach and who resides in a location to allow the local contact person to reach the rental property within one hour of notification by the City. ~~within ten (10) miles of the City of Key Colony Beach who is designated by a vacation rental property Owner as available to handle problems, complaints or other issues involving a vacation rental property~~

Occupant means any lessee, tenant or other person who, for consideration, occupies a residential dwelling unit.

Owner means the Owner of any residential dwelling unit as reflected by the public records of Monroe County, Florida and tax rolls as maintained by the Monroe County Tax Assessor, and the ownership records kept by the City of Key Colony Beach.

Property Manager means an Owner or any person or entity other than an Owner who has a certificate of qualification from the City of Key Colony Beach and who is responsible for the leasing or day-to-day maintenance and operation of a residential dwelling unit for rental use.

Vacation Rental Unit is a single family or multi-family residential dwelling unit operating as a rental where the premises are rented for a duration of under one hundred eighty-one (181) days.

Section 9-26. Miscellaneous Requirements.

(a) Each vacation rental unit shall be equipped with at least two (2) trash containers. Schedules of garbage pickup and recycling pickup shall be posted in the rental property.

(b) Prior to occupancy of a vacation rental unit, the occupants of each unit shall be provided with a written copy of the Key Colony Beach Vacation Rental Ordinance and a written rental agreement specifying the names of all of the tenants and the tag numbers of the tenant's vehicles.

(c) A copy of this ordinance shall be readily available in each vacation rental unit in no less than 12 point type.

(d) A copy of the rental agreement must be maintained by the occupants on the property at all times and made available for review at the request of the municipal police officer or code enforcement officer.

(e) An Owner or Property Manager, or in the absence of a Property Manager, the Local Contact Person, shall serve the following essential functions.

- 1) Remain available 24 hours a day, 7 days per week to handle problems with tenants.
- 2) Reach the rental property within 60 minutes in the event of requested assistance by any City employee.
- 3) Monitor the property no less than once per rental week to assure compliance by renters with city ordinances.

Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Inclusion in the Code. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Key Colony Beach; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

Effective Date. This Ordinance shall be effective immediately after final passage as provided by law.

Clyde Burnett, Mayor

Attest: Vickie L. Bollinger, City Clerk

Approved as to form and legal sufficiency:

Thomas D. Wright, City Attorney

September 13, 2007 First Reading
September 15, 2007 Date of Notice, Florida Keys Keynoter
September 27, 2007 Second Reading