

CITY OF DESTIN CODE OF ORDINANCES – CHAPTER 13 (EXCERPT)

ARTICLE VII. REGISTRATION OF LONG-TERM RENTALS

Sec. 13-120. Purpose.

The City Council of the City of Destin recognizes that the unregulated rental of dwelling units, rental of accessory dwelling units, and rental of rooms within dwelling units, by residents uniquely impacts certain neighborhoods within the City of Destin. Therefore, it is necessary and in the interest of the public health, safety, and welfare to monitor and provide reasonable means for citizens of the City of Destin to mitigate impacts created by such rental dwelling units, accessory dwelling units, and rental rooms within dwelling units, within the City of Destin as set forth by this article.

(Ord. No. 06-07-CC, § 3, 7-10-06; Ord. No. 08-22-CC, § 3, 11-3-08)

Sec. 13-121. Definitions.

For the purpose of this article, the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their meaning as provided in section 1-2, Definitions and Rules of Construction, of the City of Destin Code of Ordinances.

Adult shall mean an individual eighteen (18) years of age or older.

Bedroom shall mean a room which has a floor area of not less than seventy (70) square feet, shall not be less than seven (7) feet in any horizontal dimension and shall have at least one (1) other means of access, other than the door to the bedroom, that meets the minimum requirement of the Florida Building Code, 2007 edition.

Dwelling, accessory: A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot or parcel.

Long-term rental shall mean any residential accommodation that is available for occupancy one hundred eighty-one (181) days or more.

Rental shall mean a dwelling unit occupied in exchange for compensation.

Single room occupancy housing: A long-term single-family or multi-family dwelling unit wherein the owner must reside on the premise and where no more than two (2) bedrooms are available for rental occupancy by single individuals.

(Ord. No. 06-07-CC, § 3, 7-10-06; Ord. No. 08-22-CC, § 4, 11-3-08)

Sec. 13-122. Registration required.

It shall be unlawful for any person to allow another person to occupy any dwelling unit, including any single or multi-family dwelling unit, accessory dwelling unit, or single room occupancy housing, as a long-term resident within the City of Destin, or offer such rental services within the City of Destin, unless the property has been registered with the City of Destin in accordance with the provisions of this article. (Ord. No. 06-07-CC, § 3, 7-10-06; Ord. No. 08-22-CC, § 5, 11-3-08)

Sec. 13-123. Formal application required.

Every property owner required to procure a registration under the provisions of this article shall submit a formal application for such registration to the city manager or his designee. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-124. Application for registration.

Applications for registration shall set forth and/or include at a minimum:

- (1) Address, lot, block and subdivision name of dwelling unit offered for rental;
- (2) Name, address, and phone number of owner of said dwelling unit;
- (3) Name, address, and emergency contact phone number of responsible party for said dwelling unit, which shall be a twenty-four-hour, seven (7) days a week contact number;

- (4) That the phone number for the responsible party will be answered twenty-four (24) hours a day, seven (7) days a week by a party with authority to address or coordinate problems associated with the dwelling unit;
- (5) Proof of owner's current ownership of the dwelling unit(s);
- (6) Acknowledgements by owner of the following:
 - a. That all vehicles must be parked in the driveway, garage or other city approved parking space for the dwelling unit and clear of all grassy areas and sidewalk sections for pedestrian traffic pursuant to City of Destin Code of Ordinances, Section 19, Traffic and Motor Vehicles;
 - b. That it shall be unlawful to allow or make any noise or sound which exceed the limits set forth in Chapter 14, Art. 2;
 - c. That no garbage container shall be located at the curb for pickup before 12:00 p.m. of the day prior to pickup, and garbage container shall be removed before midnight of the day of pickup;
 - d. That occupancy limitations per dwelling unit, as are hereby established, shall not exceed two (2) adults per bedroom.

(Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-125. Fees for registration.

The City of Destin is authorized and shall charge reasonable fees for registration to compensate for administrative expenses. The fees for registration shall be provided for, from time to time, by resolution adopted by the City Council of the City of Destin. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-126. Issuance or refusal of registration.

The city manager or his designee shall issue a registration to the applicant upon proof of the following:

- (1) The owner and/or responsible party completes the City of Destin registration application form;
- (2) The registration fee has been paid to the City of Destin; and
- (3) Incomplete registration applications are unacceptable and requested registration shall not issue.

(Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-127. Registration not transferable.

No registration issued under this article shall be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-128. Expiration of registration.

All registrations issued under the provisions of this article shall be valid for no more than one (1) year, and all registrations shall expire on May 1 of each year. Registrations that are not renewed by May 1 of each year may be renewed up to the last business day in June of that year without paying a late renewal fee. Owners who do not renew their registrations before the last business day in June shall pay the appropriate late renewal fee as established, from time to time, by the City Council of the City of Destin. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-129. Responsible party required.

Whenever any property is required to be registered under this article, the owner shall appoint a person to serve as the local responsible party for service of notices as are specified herein, and notices given to the responsible party shall be sufficient to satisfy any requirement of notice to the owner. The owner shall notify the city manager or his designee in writing of the appointment within five (5) days of being required to make such appointment, and shall thereafter notify the city manager or his designee of any change of responsible party within fifteen (15) days of such change. Further, it is hereby made the affirmative duty of the responsible party to:

- (1) Inform all residents prior to occupancy of the dwelling unit of applicable City of Destin Ordinances concerning noise, vehicle parking, occupancy limits and garbage;

- (2) Maintain all properties under their control in compliance with the occupancy limits, as specified in the City of Destin Code of Ordinances;
- (3) See that the provisions of this article are complied with and promptly address any violations of this article or any violations of law, which may come to the attention of the responsible party;
- (4) Be available with authority to address or coordinate problems with the rental of the dwelling unit twenty-four (24) hours a day, seven (7) days a week;
- (5) Maintain the entire property of the dwelling unit free of garbage and litter. Provided however, that this section shall not prohibit the storage of garbage and litter in authorized private receptacles for collection.

(Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-130. False information.

It shall be unlawful for any person to give any false or misleading information in connection with the application for registration required by this article. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-131. Revocation.

Any registration issued pursuant to this article may be denied, revoked, or suspended by the city for the violation by the owner of this article, any City of Destin Ordinance, or state law. Such denial, revocation or suspension is in addition to any penalty provided herein. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-132. Territory embraced.

The provisions of this article shall apply within the City of Destin. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-133. Complaints.

Whenever a violation of this article occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the city manager or his designee. The city manager or his designee shall record properly such complaint, investigate, and take action thereon in accordance with sections 14-71--14-85, City of Destin Code of Ordinances. (Ord. No. 06-07-CC, § 3, 7-10-06)

Sec. 13-134. Enforcement.

The city manager or his designee shall, in connection with their duties imposed by law, diligently enforce the provisions of this article. (Ord. No. 06-07-CC, § 3, 7-10-06)