

ORDINANCE NO. 05-2024

AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, ESTABLISHING CHAPTER 6, ARTICLE VI, SECTIONS 6-200 – 6-204 RELATIVE TO SHORT-TERM RENTAL REGISTRATION AND OTHER REQUIREMENTS FOR OWNERS OF SHORT-TERM VACATION RENTALS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS OR PORTIONS THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION AND CORRECTION OF SCRIVENOR’S ERRORS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, Florida Statutes, the City of Gulf Breeze may adopt ordinances and resolutions necessary to preserve the health, safety and welfare of the residents of the City of Gulf Breeze, except where prohibited by law; and

WHEREAS, short-term vacation rentals situated in single-family residential neighborhoods is a growing interest; and

WHEREAS, these regulations do not regulate the duration or frequency of rentals but are intended to address the impacts of transient occupants of properties in established residential neighborhoods; and

WHEREAS, the City Council finds that the provisions of this Ordinance will help maintain residential use, enjoyment, and the health, safety and welfare of Gulf Breeze citizens and residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA:

SECTION 1. – RECITALS

The foregoing recitals are hereby ratified and confirmed as true and correct and are incorporated herein by this reference.

SECTION 2. – CREATING ARTICLE VI., SECTION 6-200 – 2-204 OF CHAPTER 6 OF THE CODE OF ORDINANCES.

Chapter 6, Article VI, of the City of Gulf Breeze Code of Ordinances is hereby created to read as follows:

ARTICLE VI. - SHORT-TERM VACATION RENTALS

Sec. 6-200. – Findings.

The City Council hereby finds that the use of residential dwellings for short-term vacation rentals in established residential neighborhoods may create community impacts, including, but not limited to, excessive noise, accumulation of trash, on-street parking and diminished public safety; that to lessen these impacts and to protect the quiet enjoyment of neighboring residential units it is necessary to have a known, responsible person to contact who can reasonably address issues that may arise from the use of short-term vacation rentals, many of which are owned by non-residents; and that some Owners of short-term vacation rentals may not properly remit required taxes and fees. Accordingly, it is the intent of this Ordinance to collect current and accurate information regarding short-term vacation rental properties and to encourage the appropriate management of these properties in order to protect the general health, safety and welfare of the residents and visitors to the City of Gulf Breeze.

Sec. 6-201. – Definitions.

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings set forth herein:

Bedroom means any room in a Short-Term Vacation Rental unit that has a bed or other place for sleeping and a separate closet that is an integral part of the permanent construction within the bedroom or an ensuite bathroom and complies with the Florida Fire Code and Florida Life Safety Code as a bedroom but shall not include a bathroom, a kitchen, a dining room, or any main living area. If a room has been added, altered, or converted without any required building permit having been granted, such room shall not be deemed a bedroom.

Designated Responsible Party means any person eighteen (18) years of age or older designated by the Owner, tasked with responding to requests or complaints and other problems relating to or emanating from the Short-Term Vacation Rental. An Owner may retain a private property management company to serve as the Designated Responsible Party. The Designated Responsible Party shall be the agent of the Owner authorized to accept City-issued citations and notices of violation arising from the use of the Short-Term Vacation Rental.

Occupant means any person who occupies a Short-Term Vacation Rental overnight.
Owner means the person or entity holding legal title to the short-term vacation rental property, as reflected in the Santa Rosa County Tax Collector's records.

Short-Term Vacation Rental means the rental of any habitable space, including a room, apartment, living quarters, in any residential building, including but not limited to condominiums, single-family or multi-family homes, for a term of six months or less, as provided in F.S. § 125.0104(3)(a), as amended, unless such person rents, leases, or lets for consideration any living quarters or accommodations which are exempt according to the provisions of F.S. Ch. 212. Any Owner who is not required to register with the Florida Department of Business and Professional Regulation, as defined by F.S. Ch. 509, is exempt from this ordinance.

Sec. 6-202. - Short-term Vacation Rental Requirements.

Prior to commencing any Short-Term Vacation Rental, and at all times during the operation of a Short-Term Vacation Rental, it is the affirmative duty of the Owner to:

1. Register with the Florida Department of Business and Professional Regulation and the Santa Rosa County Tax Collector.
2. Obtain a City of Gulf Breeze Registration Certificate for each Short-Term Vacation Rental unit owned. The Certificate must identify that unit's Designated Responsible Party and current contact information. All Registration Certificates, regardless of when issued, shall expire on September 30 and shall be renewed annually on or before October 1, unless otherwise specifically provided by law.
3. Pay the annual Registration Certificate fee of \$40 per unit for each Short-Term Vacation Rental unit owned, which fee is due at the time of registration or renewal. There will be no proration of the annual fee in the first year of registration. If the renewal date falls on a weekend or holiday, the Registration Certificate fee shall be due and payable on the next day, which is not a weekend or holiday. A change in ownership shall require the payment of a new annual Registration Certificate fee. The annual Registration Certificate fee set forth herein may be adjusted by resolution of the City Council.
4. Notify the City in writing of any change in the Designated Responsible Party within ten (10) business days of such change and pay the fee of \$15.00 per unit for changing the Designated Responsible Party. The annual change in the Designated Responsible Party fee set forth herein may be adjusted by resolution of the City Council.

5. Inform all guests prior to occupancy of the Short-Term Vacation Rental unit of all applicable City of Gulf Breeze ordinances, including noise, parking, and garbage (times of pick-up).
6. Limit occupancy to two occupants per bedroom with one hundred (100) square feet or more (counting only those rooms that meet the definition of bedroom herein), plus one occupant per bedroom that contains no less than seventy (70) square feet, but less than one hundred (100) square feet, (counting only those rooms that meet the definition of bedroom herein), plus two additional persons.
7. Be available in person or by telephone or have the Designated Responsible Party available in person or by telephone twenty-four (24) hours a day, seven (7) days a week to address any law enforcement action, emergency response, or a city ordinance violation arising from the rental of the Short-Term Vacation Rental unit and be willing and able to be onsite to address violations within the next day of notification.
8. Include the City of Gulf Breeze Rental Registration Certificate Number for the Short-Term Vacation Rental unit on all advertising of the availability of accommodations for the Short-Term Vacation Rental unit. Advertising includes, but is not limited to, print, radio, video, online, social media, and sharing economy platforms.
9. Post the following information in a visually unobstructed area within each Short-Term Vacation Rental unit: the name and telephone number of the Designated Responsible Party, the location of the nearest hospital, and notice that all occupants must promptly evacuate the short-term rental upon issuance of any evacuation order by State or local authorities.
10. Maintain in working condition at all times safety alarms required by the Florida Building Code and Florida Fire Prevention Code, including but not limited to smoke detectors and carbon monoxide alarms.

Sec. 6-203. – Inspections of Short-term Vacation Rentals.

1. Short-term Vacation Rental units in the City of Gulf Breeze shall meet the applicable standards under Florida Statutes, the Florida Building Code, the Florida Fire Prevention Code, the City of Gulf Breeze Code of Ordinances and Land Development Code. If instances of noncompliance are found, all such instances shall be handled as otherwise handled in the City and will be referred to County or State enforcement authorities as applicable.

2. Initial Inspection. Upon application for the Registration Certificate and before making the Short-Term Vacation Rental unit available for occupancy, it shall be inspected by the City for compliance with the City of Gulf Breeze Code of Ordinances, City of Gulf Breeze Land Development Code, and Florida Fire Prevention Code. Owners are responsible for obtaining other inspections as required by the State or County.
3. Annual Inspection. Each Short-Term Vacation Rental unit shall be inspected annually by the City for compliance with the City of Gulf Breeze Code of Ordinances, City of Gulf Breeze Land Development Code and Florida Fire Prevention Code. Owners are responsible for obtaining other inspections as required by the State or County.

Sec. 6-204. - Penalties for violation of this article.

The provisions of this article may be enforced by civil citation issued pursuant to section 2-154. Any person not in compliance with the provisions of the article shall be subject to a fine of \$100.00 for the first violation, \$250.00 for the second violation and \$500 for any subsequent violation. Each violation shall be considered a separate offense, which may be prosecuted separately. Guests and Owners of Short-Term Vacation Rental units may be prosecuted separately and concurrently for a violation of any City of Gulf Breeze Ordinance, including but not limited to noise, parking, and garbage violations.

SECTION 3 – SEVERABILITY.

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid, or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

SECTION 4 – CONFLICT.

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance, resolution, policy, or portion thereof in conflict with the terms hereof.

SECTION 5 – CODIFICATION AND CORRECTION OF SCRIVENOR’S ERRORS.

It is the intention of the City Council that the provisions of this Ordinance shall be codified and that sections of this Ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article, or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager or their designee without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 6 - EFFECTIVE DATE.

This Ordinance shall take effect ninety (90) days after adoption.

PASSED ON THE FIRST READING ON THE 4th DAY OF NOVEMBER, 2024.

ADVERTISED ON THE 7TH DAY OF NOVEMBER, 2024.

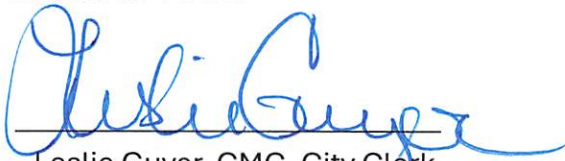
PASSED ON THE SECOND READING ON THE 18th DAY OF NOVEMBER, 2024.



City of Gulf Breeze

By: 
Cherry Fitch, Mayor

ATTESTED TO BY:


Leslie Guyer, CMC, City Clerk