

AGENDA
SHORT TERM RENTAL (STR)
TUESDAY, NOVEMBER 12, 2019
2:00 PM

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
 - A. October 29, 2019**
 - B. November 5, 2019**
- 3. NEW BUSINESS**
 - A. Short-Term Rental Registration Acknowledgements Section - Amendments**
 - B. Short-Term Rental Ordinance - Contact Phone Number for Responsible Party**
- 4. PUBLIC COMMENTS**
- 5. NEXT MEETING DATE: November 19, 2019**
- 6. ADJOURNMENT**

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242.

**MINUTES
SHORT TERM RENTAL (STR)
TASK FORCE MEETING
OCTOBER 29, 2019 – 2:00 PM
CITY HALL BOARDROOM**

1. CALL TO ORDER:

The Short-Term Rental (STR) Task Force met in regular session with the following members and City staff present:

2. ROLL CALL:

Members Present

Jeff Marken
Bruce Craul
Ken Wampler
Marcie Bell
Patti Brown
Shaun Hickey

Staff Present

City Manager Lance Johnson
City Clerk Rey Bailey
Code Compliance Manager Joey Forgione
Community Dev. Director Louis Zunguze
Code Compliance Officer William Morales

3. Approval of Minutes: October 22, 2019

Mr. Shaun Hickey noted that the goal discussed in Section 6 of the minutes is just one of the goals of the Task Force; not the primary goal. He asked that the word “primary goal” be changed to “a goal.”

Referencing line 1 under “DISCUSSIONS” on page 4 of the minutes, Ms. Patti Brown pointed out that her recommendation was not to increase the size of the short-term rental signs but to increase the size of the wordings especially for “occupancy” and “parking” so they could be read from the street.

Motion by Ken Wampler, seconded by Marcie Bell, to approve the minutes of the October 22, 2019 Short-Term Rental Task Force meeting, as amended, passed 6-0.

4. New Business

Mr. Shaun Hickey moved to add “Visioning Session – Proposed Topics of Discussion” on the agenda, and for it to be the first topic of discussed under “New Business.” Motion was seconded by Ms. Marcie Bell and passed 6-0.

A) Visioning Session – Proposed Topics of Discussion

At this time, Ms. Brown handed out a list of proposed Visioning Session topics, stating it is a compilation of items people often mentioned to her when the subject dealing with short-term rentals is discussed. She asked that they consider adding these items for discussion at the

Council Visioning Session. She briefly explained each item on the list.

➤ *Parking – Available spaces versus present parking*

Ms. Brown noted that even if the rental sign clearly marks the number of parking spaces, they are still seeing repeat offenders.

➤ *Golf Carts – Parking on sidewalks, City rights-of-way and in yards*

Ms. Brown stated that people are parking their golf carts on sidewalks, rights-of-way and in the yards.

Mr. Forgione stated these are not allowed, and that they have been issuing parking tickets to violators.

➤ *Registration of boats with City that are part of rental property use*

Ms. Brown noted that most of the calls she received regarding this topics are from Holiday Isle. These are boats parked behind houses in the canals.

Mr. Craul asked why it would be necessary to register these boats.

Mr. Forgione noted if the boats are being rented out as a secondary under the short-term rental program, livery it would fall under the livery vessel program and the boats would have to be registered.

Ms. Bell stated that Holiday Isle PC&Rs may not allow boat rentals; adding that guests can trailer their boat and park it during their stay if there are available slips.

Ms. Brown stated she was informed there are houses with boats included as part of their rental program.

Mr. Forgione stated that he would consult with the City's legal counsel about this issue.

➤ *Code Officers – Evening/night shift and Saturday nights*

➤ *Complaint Line – Magnetic refrigerator cards, signage in short-term rental units*

Ms. Brown stated that some people still do not know the number to the complaint line; and that there are no signage in front of the short-term rental units indicating those numbers.

Mr. Craul reiterated that a door hanger would work better than a refrigerator magnet.

➤ *Condominium short-term rental registration*

➤ *Increase the number of trash cans*

Ms. Brown noted there are still a lot of problems with rental houses not having enough trash cans.

➤ *Signage on beach flags in units*

Ms. Brown handed out copies of document showing beach warning flags, with explanations, as well as rip current safety tips. She mentioned that Mayor Jarvis requested they incorporate this issue into their discussions. She also noted that at her recent trip she stayed in a hotel where there are stickers with beach flag information placed on the back of every door as well as with hotel keys.

➤ *Repeat offenders on parking, trash and noise do not seem to be held accountable*

According to Ms. Brown, these problems occur in the same houses week after week.

Considerable discussions followed regarding trash pick-ups and required number of trash cans.

Mr. Forgione announced he has invited a Waste Management representative to attend the next meeting to discuss the trash can issue and what the company could offer with regards to special trash pick-up

Ms. Brown noted that many short-term rental companies already contract with companies that provide this special service and do not seem interested in switching to Waste Management or other companies.

Mr. Craul stated that Waste Management had put together a deal for a special trash pick-up for \$100 a month; but he feels they start picking up too early on Saturdays. He continued there is a company in his neighborhood called Trash Can Express that charges \$85 every 3 months including weekends to take the trash cans out to the curbside as early as 4 AM, and store them back at proper locations after trash is picked-up.

Ms. Bell suggests they require the rental homes to provide proof during the registration process that they have already set up a special trash pick-up.

Mr. Forgione stated that the Task Force could make that recommendation to the City Council.

Mr. Forgione noted that each can could hold 96 gallons of trash and could handle a family of six if trash is picked up twice a week.

Ms. Brown reported having trash lined up in the street creating a huge rat problem at Crystal Beach.

Mr. Forgione stated that a house that sleeps 24 but with only 2 trash cans would have a huge trash problem.

Mr. Hickey recommends predicating the number of trash cans on the number of people a house is approved for rather than on the number of bedrooms.

Ms. Brown noted that according to a study called Garbology 101, 30 people will utilize

5. 6 trash cans every 3 days.

Mr. Craul suggests requiring one trash can for every 3 bedrooms.

According to Mr. Hickey, the current requirement is one trash can for the first 3 bedrooms; and one can per two bedrooms thereafter. He also stated they have a lot of houses that are currently grandfathered in terms of occupancy; and so they would be short in trash cans if they base it on the number of bedrooms.

Ms. Brown stated they are still having trash problems in Crystal Beach with the current requirement of one trash can for the first 3 bedrooms; and one can per two bedrooms thereafter.

Mr. Marken pointed out that one of the problems is the Tuesday pick up. He stated that if trash is picked up late Saturday or early Sunday, people have to turn around and put out the trash Monday night for a Tuesday pick-up. There is not enough time to produce much trash for that short period of time, everything falls on the Friday pick up.

Ms. Bell stated that if they require more trash cans, they also need to take into account where to store them.

According to Mr. Forgione, since the cans cannot be placed outside of the front yard, a lot of the owners put them on the side of the house.

Mr. Craul pointed out that some neighborhoods are governed by homeowner's association that do not allow empty trash cans to be visible from the street; however, the City does not prohibit it and the original Task Force did not find a reason to address it. He added it would work better if Waste Management changes their Saturday pick-up time to 11 AM or later.

Mr. Wampler recommends requiring one 96-gallon trash can for every 6 people with a twice a week pickup.

Mr. Bruce Craul moved that they base the number of trash cans on the number of people listed on the rental home sign, requiring one can for every 6 people, plus one recycle can. Mr. Shaun Hickey provided a second to the motion.

According to Ms. Brown, this would result in less cans than what is currently required resulting in even more trash problems. She suggests requiring one trash can for every 2 bedrooms.

There was a consensus to add one can each time they hit the break point; such that 14 people would require 3 trash cans plus one recycle can.

Motion passed 5-1; with Ms. Patti Brown dissenting.

More discussions followed regarding special trash pick-up.

Ms. Bell recommends requiring rental home to prove they have a special pick-up set up as part of the registration process.

Mr. Hickey asked what happens if a home owner wants to conduct the special trash pick-up themselves rather than paying somebody else to do it.

Mr. Craul stated they should sign a contract stating they are taking the responsibility for doing it.

Mr. Marken suggests they add a language stating that the City does not force rental management companies to contract with specific provider for the valet service.

According to Mr. Forgione, the City cannot force rental companies to contract with any specific provider for special pick-up service.

Ms. Marcie Bell moved to require rental management companies to provide a copy of a contract with a third party for a special pickup of trash or sign an affidavit that states they are going to be the responsible party; seconded by Mr. Jeff Marken.

Mr. Wampler recommends modifying the motion stating that rental management companies must provide proof that they have contracted with a third party to perform Saturday afternoon pickup.

Ms. Marcie Bell offered an amended motion to require rental management companies to provide proof that they have contracted with a third party to perform Saturday afternoon trash pickup, or sign an affidavit stating they are going to be the responsible party; seconded by Mr. Jeff Marken. Motion passed 6-0.

There was considerable discussion regarding parking.

Ms. Bell stated that some garages are being used as extra bedrooms or recreational rooms and not for vehicle parking; adding that the garage of the home located behind her house has a pool table in it.

Ms. Brown noted that the signage on the new houses on Hutchinson Street indicates they have 8 parking spaces; but they are counting their garages as parking spaces even though these garages are filled with golf carts and other junk and are never used for parking. She continued they are parking on the sidewalk, right-of-way or in the yard. She added there is a continuing problem with houses exceeding their parking limitation, and they are routinely being warned or cited by Mr. Forgione.

Ms. Brown also noted that these same houses are being cited 2 or 3 times a week, and so it seems people are not being told they cannot park in the yard, on the sidewalks, in the right-of-way or on the street.

According to Mr. Forgione, they are going to start notifying both the property management company and the owners regarding the number of violations issued to their property. This will alarm the property owner, who may be residing in another state or country, that the management company they hired may not be doing the right thing.

Mr. Forgione stated that once a rental property has received a certain number of parking citations on any given week, they will issue a Notice of Violation to the property owner.

Mr. Wampler recommends that each address gets one warning each week; after which a Notice of Violation is issued. He added that habitual offenders should get one warning a week; and then a Notice of Violation.

There was some discussion relating to fines for illegal parking. Mr. Forgione noted that parking citations are currently worth \$30, which is well below the State average; and so, he would recommend increasing it to \$100.

The City Manager noted that increasing the fines needs to be discussed at the Visioning Session because it involves an ordinance change which requires Council's approval.

Mr. Wampler recommends that if there is a violation of City ordinance that relates to short-term vacation rentals, the citation should be issued to the homeowner. He asked if this would require an amendment to the ordinance.

According to Mr. Forgione, it would not require an amendment to the ordinance as it is in his prerogative as Code Compliance Manager to make this type of decision.

Ms. Brown stated that homeowners should be notified as some of them may not be aware how poorly their property is being managed.

Ms. Bell asked whether the parking policy will apply to everybody; so that if a homeowner has people over for a party and doing the same thing as the short-term rentals, then they would be cited.

Mr. Forgione stated they would be issuing a citation as the policy applies across the board.

Mr. Ken Wampler moved they recommends to the City Council that the ordinance be amended increasing the fines for parking violations up to the maximum amount allowed by Florida Statute; seconded by Ms. Marcie Bell. Motion passed 6-0.

Ms. Brown asked that they address the golf cart parking issue.

Mr. Forgione noted that golf cart parking is already covered in the ordinance; adding they issue warning tickets to golf carts parked in the street, sidewalk or in the yard.

Mr. Craul reiterated that if a house comes with a golf cart, it should not count as an additional parking space; so that a house with a golf cart that is authorized 8 parking spaces will have their golf cart parked in one of those spaces.

The next item discussed was the signage for beach safety. Ms. Brown reiterated that Mayor Jarvis had asked that they incorporate this issue into their discussions because he feels the

City should do something about all the drownings and near drownings that happened recently. Ms. Brown suggests they require educational information to be part of the packet which the rental owners hand to their guests when they check in.

Mr. Craul stated that a doorhanger would work much better since the last thing people check on their way out the door is the doorhanger; however, they should allow rental companies to decide how they want to handle this issue and whether they want to use a door hanger or a sticker.

Mr. Forgione noted that the City's Public Information Manager has reached out to Beach TV and posted items in social media to educate people on this issue.

After a brief discussion relating to the design for the signage, there was a consensus to allow Mr. Forgione to coordinate matters with the Public Information Manager and come up with a proposed design and bring it back for approval by the Task Force, and subsequently for Council's approval at the Visioning Session.

B) Commercial Events Ordinance

Mr. Forgione noted that by regulation, holding more than 5 special events within a calendar year at the same property in a residential neighborhood is prohibited. He stated they would document the event, and if a property exceeds the 5 documented event limit during the same calendar year, they would issue a Notice of Violation to the property owner.

Mr. Craul asked how they would handle a situation when someone arranged a big wedding in Destin in March and claims that this event was arranged the year before and was grandfathered .

Mr. Forgione noted that the ordinance was adopted on May 6, 2019; and so, anybody that has a signed contract prior to May 6, 2019 is grandfathered in.

Ms. Brown pointed out that some of the signs are not readable from the street. There are also signs that still say, "Wedding Venue."

Mr. Wampler noted that by regulation the required content of the sign shall be legible as viewed from public right-of-way; however, signage should not be placed in the public right-of-way.

Mr. Forgione stated they will inspect the signs to make sure they are following regulation.

A brief discussion followed relating to condominium registrations.

Mr. Craul stated that condominiums should not have to be registered with the City.

Ms. Brown noted it was brought up at one of the Council meeting by the Sheriff that there was an increase in calls coming from condominiums.

According to Ms. Bell, there are condominiums that apparently are not registering with the TDC.

Mr. Craul maintains this is a County problem and not a City problem; and that the County has people responsible for handling this issue. He added that condominiums are already regulated under Chapter 718 of State statute.

5. Public Comments

Mr. Bill Reddington commented that when he had vacation rentals in Crystal Beach, part of his management agreement was to have an extra pick up with Waste Management on Saturdays and paid for the extra pickup. When the contract was up for renewal, the company lowered their prices when other companies started bidding for the service. He suggests they consider hiring a different franchise.

Ms. Jeanne Dailey stated that it is the repeat offenders that are problematic. The City has rules already in place and they just need to come up with severe penalties for code violations. She continued that they could create door hangers or refrigerator stickers, but there is no guarantee they will be placed in the unit. She also stated they already have beach safety information included in their welcome packet. They are also sending out double red flag warnings and advising people not to go in the gulf. She added that most people do not like to read, and the more reading materials they receive, the less likely they would read the materials and adhere to them.

6. NEXT MEETING DATE: Tuesday, November 5, 2019, 2:00 PM, City Hall

7. ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 3:55 PM.

Rey Bailey, City Clerk

**MINUTES
SHORT TERM RENTAL (STR)
TASK FORCE MEETING
NOVEMBER 5, 2019 – 2:00 PM
CITY HALL BOARDROOM**

1. CALL TO ORDER:

The Short-Term Rental (STR) Task Force met in regular session with the following members and City staff present:

2. ROLL CALL:

Members Present

Jeff Marken
Bruce Craul
Ken Wampler
Marcie Bell
Patti Brown
Shaun Hickey

Staff Present

City Manager Lance Johnson
City Clerk Rey Bailey
Code Compliance Manager Joey Forgione
Community Dev. Director Louis Zunguze
Code Compliance Officer William Morales
Land Use Attorney Kimberly Kopp

3. Approval of Minutes: October 29 , 2019

The City Clerk will amend the minutes correcting identified discrepancies and bring the minutes back for approval at the next meeting.

4. New Business

A) Presentation: Waste Management, Inc.

Mr. Jake Alderfer, a representative of Waste Management, Inc., stated he is available to answer questions and discuss the valet service his company provides.

Ms. Brown asked if Waste Management picks up garbage bags laying besides trash receptacles.

Mr. Alderfer replied they do not pick up bags placed outside the trash can during the normal twice a week pick-up.

Ms. Brown suggests they include a verbiage in the ordinance that prohibits placing trash bags outside the trash receptacle. It is creating a big problem and it is the main source of the rat problems they are currently having at Crystal Beach and Holiday Isle. She also stated they need more trash cans based on the Garbology 101 study that they used last time. She also asked that this issue be discussed at the upcoming Council Visioning Session.

Mr. Forgione noted that the ordinance already requires all trash to be placed inside the trash receptacle; otherwise, it would be a violation. They will be issuing a citation or a Notice of Violation to property owners and providing a courtesy copy to property managers.

Mr. Ken Wampler moved that whenever they reference a rental management company, they are also referencing a rental agent. Motion was seconded by Mr. Shaun Hickey and passed 6-0.

Mr. Alderfer reported a 43% participation rate in the Friday in season trash pick-up for the entire City of Destin; which is a low number.

According to Mr. Craul, if there was 80% occupancy rate, 37% of the people did not put their trash out in time.

Ms. Bell stated that it could also mean rental houses are waiting until Saturday, which is a turnover day, to put out their trash.

Mr. Craul remarked that guests do not always read materials they receive from the unit or they do not listen to the people when they check in. Also, very few rental managers/agents issue a reminder to their tenants to put out the trash on Thursday.

According to Mr. Alderfer, they are currently discussing pricing for special valet service with Holiday Isle, where two of their people will be going through with a golf cart and pulling each can to the curbside for pick-up.

Ms. Bell noted that the problem is the entire membership of Holiday Isle is being forced to participate when not everybody needs the service.

Mr. Alderfer stated they may be able to settle for 50% participation.

Mr. Craul mentioned that Waste Management is already offering an in season valet service of \$100 a month.

Mr. Alderfer noted that the \$100 per month valet service, for a period of 3 months at a time, is only for Saturdays. They are currently discussing adding a Tuesday and Friday service with Holiday Isle.

Ms. Brown inquired as to the difference between the price for regular trash pick-up versus the valet service for Tuesday, Friday and Saturday.

Mr. Alderfer replied that the price for regular pick up is \$21.46 per month. The Tuesday and Friday valet pick up, which is currently being discussed, is about \$17.38 per month per household. They charge \$100 a month for valet service on Saturdays in 3-month increments.

According to Mr. Craul, the 50% of the people that do not put their trash out on Friday could really benefit from the extra valet service where they would have somebody put the trash out for them. It would solve their Saturday problem to a certain extent.

Mr. Wampler asked if they could adjust the Saturday pick-up to a later time because any time before noon is of little value to the majority of the houses.

Mr. Alderfer stated they could probably adjust the pick-up time to noon to 5 PM at the latest. They can complete the entire route in 5 hours, or less if they put out additional trucks. He would need to check which is viable under the contract.

Mr. Craul stated that noon to 5 PM would work much better as they would stand a better chance of picking up more trash.

Mr. Craul asked if it would be possible for Waste Management to prepare a report showing who did not put out the trash.

According to Mr. Alderfer, they would not be able to provide that information because of Privacy Act. They could only provide a percentage.

Ms. Brown stated that a lot of people do not read the ordinances and therefore unaware of the rules such as not to pile trash outside the trash receptacle. There should be a packet given to people at registration that provides these rules.

Mr. Forgione pointed out that the short-term rental application includes an "Acknowledgments" section that the rental owner or agent has to sign affirming they have been informed and has the knowledge of rental policies contained in the City of Destin Code of Ordinances. By signing the document, the rental owner or agent is also affirming that all the information stated in the registration application is complete, true and correct, and that all the standards, conditions and referenced regulations provided in the document have been read, understood and agreed to. Mr. Forgione suggests the Task Force review this section and add or change some of the language as appropriate.

Mr. Craul suggests adding a language in the City of Destin information flyer that has been provided stating that trash should not be placed outside the trash can.

Mr. Forgione noted that the flyer already includes the language, "*All trash must be placed inside garbage receptacles.*"

There was a suggestion to add the trash pick-up days, to include the recycle day, in the flyer. The information in the flyer currently reads, "*Garbage containers shall not be placed curbside prior to 12 p.m. the day before pick-up.*"

Mr. Forgione commented that with enough participation in the extra valet service on Tuesdays and Fridays, they may not have much of a problem with trash on Saturdays; especially if the trash pick-up hours are changed from noon to 5 PM.

According to Ms. Bell, that may not be completely true because they still have to rely on the tenants to place the trash in the trash cans. They may not be willing to throw away leftover food on Thursday and may decide to hold out until the Saturday pick-up.

Mr. Craul commented that most people forget trash days; and that his earlier suggestion was to have a valet service, not necessarily with Waste Management, that would take the trash out to the curbside on Thursday for the Friday pick-up.

According to Mr. Hickey, it is not reasonable to mandate all rental management/agent/owner to contract for a valet service. They should only encourage them to use that service.

Ms. Brown suggests mandating the habitual offenders to participate in the valet service.

Mr. Forgione asked if the City's Special Magistrate can make that determination at a hearing.

The Land Use Attorney stated that the Special Magistrate can make that determination if they put it in the code; but she would need to look into how the Waste Management contract is set up. She also stated that if they just start adding habitual offenders to the list to receive the valet service, they may not meet the 50% threshold for participation Mr. Alderfer mentioned earlier.

Mr. Wampler noted there are other companies, not just Waste Management, that offer the valet service.

According to Ms. Bell, the valet service may not work for the Holiday Isle Homeowners' Association because they have more condominium units that belong to the homeowners' association than they have homes and town homes.

At this time, Mr. Forgione asked the members of the Task Force to refer to the "Acknowledgments" section of the short-term rental registration. He suggests adding a language stating that *"Responsible party will ensure they contact their guests every Monday and Thursday evening to remind them of trash pick-ups the following day"* and add the dates and times for the trash pick-ups. They should also add that responsible party should adhere to the ordinance that requires they contract for valet service on Saturdays.

Mr. Craul suggests adding that statement to item #7 of the "Acknowledgments."

Ms. Bell asked that they bold and capitalize the word "No" under item #7 and have the subject matter in each of the item bolded and underlined, such as the word "Sign" in item #1 and "Phone number" for the responsible party in item #2, to make the document much clearer for the people who have to sign it.

Mr. Forgione also recommends having the rental properties place the City's information flyer in their rental homes.

Ms. Brown suggests adding the riptide information in the flyer, similar to the sample she previously provided.

Ms. Bell requests they bold and capitalize the word “not” within the statement in the flyer that reads “*Garbage containers shall not be placed curbside prior to 12 p.m. the day before pickup.*”

Mr. Shaun Hickey moved that they add the following language under “Acknowledgment”: “*The rental management/agent will contact their guests the day prior to trash pick-up and advise them of the time they have to get the trash out*”; and that they contract with a third party for valet service on Saturdays. Ms. Patti Brown provided a second to the motion, which passes 6-0.

Ms. Brown noted that in reference to item #2 about the phone number for the responsible party, there is at least one rental home in her street that the phone is answered by somebody in Miami; and that according to this person there was no other person to contact. She stated that the City needs to make sure there is a responsible party that resides in the local area that is able to respond in person to complaints or emergencies within a certain period of time.

Mr. Marken stated that educational is important. He recommends adding a language that the renter will be informed they are not to exceed occupancy.

Mr. Jeff Marken moved to amend item #9 under “Acknowledgments” to read: “*The renter will be informed by the Responsible Party of applicable City and homeowners association laws and rules concerning noise, vehicle parking limit, household garbage pick-up days, common area usage, and occupancy limit as approved by the City.* Mr. Bruce Craul provided a second to the motion, which passes 6-0.

Ms. Bell stated that the language in item #9 should also be applied to item #10.

Ms. Marcie Bell moved to amend item #10 under “Acknowledgments” to read: “*The property owner is aware of applicable City and homeowners association laws and rules concerning noise, vehicle parking limit, household garbage pick-up days, common area usage, and occupancy limit as approved by the City.* Mr. Bruce Craul provided a second to the motion, which passes 6-0.

Ms. Bell asked if the City has the authority to revoke an application after so many fines have been levied on the property.

According to the Land Use Attorney, they could include that language in the ordinance; but it would be up to the Council to consider telling somebody they can no longer rent their property because it could end up in court.

Mr. Wampler commented that this issue could have been addressed in the Business Tax Receipt.

5. PUBLIC COMMENTS

Mr. Bill Reddington stated he does not understand why the Task Force is considering bypassing the management companies. He continued that when an owner that lives in another state hires a management company, that company should be responsible for dealing with the problem and not the owner. He also stated that the City, through all its applications, has everyone's email address and telephone numbers. They could set up some type of bio-contact list and send automatic emails to everybody on that list. They could send out an email or text to everybody on Monday and Thursday nights reminding them of garbage pick-ups.

Ms. Brown argues that a lot of the management companies are not doing their job. The reason they have a rat problem at Crystal Beach is because of all the trash sitting out on the streets. She added that she owns an apartment building in Los Angeles, and that she will get on her management company if she is notified there is a problem.

Mr. Forgione noted that by State statutes, they have to go after the property owner. However, they send a courtesy copy of the violation to the management company or agent.

6. NEXT MEETING DATE: Tuesday, November 12, 2019, 2:00 PM, City Hall

7. ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 3:45 PM.

Rey Bailey, City Clerk

ACKNOWLEDGEMENTS

By signing the space below, the owner or agent affirms that he/she has been informed and has knowledge of the following acknowledgements contained in the City of Destin Code of Ordinances, Chapter 13, Article 6 (attached pages 5-9).

1. A sign will be posted and maintained on the property, 18" by 18" in size. The content of such sign is described in detail in the City of Destin Code of Ordinances, Chapter 13, Article 6, Section 13-114. Signage must include Name and telephone number of Management Company, name and Telephone number of Emergency Contact (if different from Management Company) Occupancy Limit, and Available Parking spaces.
2. 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. The Responsible Party is always the first number the city will call regarding complaints.
3. The Responsible Party will reside within the local area (30 miles), and be able to respond in person to complaints or emergencies within one (1) hour and correct violations within a reasonable amount of time.
4. 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, Chapter 19.5, Article 2, Parking Regulations. If vehicles are found in violation of this ordinance, vehicle is subject to immediate towing at the owner's expense.
5. Numbering of residences shall be displayed and clearly visible, legible, and preferable reflective from the street or private way on which the building fronts, as described in detail in the City of Destin Land Development Code, Section 7.18.04.
6. It shall be unlawful to allow or make any noise or sound which exceeds the limits set forth in the City of Destin Code of Ordinances, Chapter 14, Article 2, Noise.
7. No garbage container shall be located at the curb for pickup before 12:00 pm of the day prior to pickup and garbage container shall be removed before midnight of the day of pickup.
8. The renter will be informed that use of an adjacent property's pools, hot tubs, etc. is considered trespassing unless invited by Responsible Party for that adjacent property or current renter of that property. Other rental properties and their outside facilities are not jointly shared commodities, and should not be considered available for public use.
9. The renter will be informed by the Responsible Party of applicable City and homeowner association laws and rules concerning noise, vehicle parking, household garbage, and common area usage.
10. The property owner is aware of applicable City and homeowner association laws and rules concerning noise, vehicle parking, household garbage, and common area usage. The Responsible Party has also been made aware of these same laws and rules.
11. A rental that is found to be noncompliant will receive a Notice of Violation (NOV) and be subject to fines imposed by the City of Destin's Special Magistrate.

I acknowledge all the facts stated in this registration application are complete, true and correct, and all the standards, conditions, and referenced regulations provided above have been read, understood, and agreed to.

Signature of Property Owner or Agent for the Owner

Date

Check one:

Owner ☐

Agent for the Owner ☐

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in section three (3) of this ordinance that is ~~strike thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Code of Ordinances that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF CODE OF ORDINANCES CHAPTER 13: Chapter 13 of the Code of Ordinances is hereby amended as follows:

ARTICLE VI. - REGISTRATION OF SHORT-TERM RENTALS

Sec 13-108 Local 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 the local responsible party within fifteen (15) days of such change.

The designation of a local responsible party does not relieve the owner of the responsibility to comply with all state and local statutes and ordinances. Further, a local responsible party who accepts the designation to act on behalf of a property owner is held to the same standard as the property owner with respect to compliance with all statutes and ordinances and may be cited for non-compliance with any code, rule or ordinance applicable to the property.

Further, it is hereby made the affirmative duty of the local responsible party to:

- (1) Inform all seasonal residents prior to occupancy of the single family dwelling unit of applicable City of Destin ordinances concerning noise, vehicle parking, garbage and common area usage;
- (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 Ensure 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) Post a sign outside the residence that clearly identifies the management company responsible for the property and the phone number of the local Responsible Party that is located within 30 miles of the residence, in accordance with sections 107 and 114 of this Code. The name and address of the Responsible Party shall be listed on the annual registration form. The Responsible Party shall immediately notify the City if the Responsible Party changes during the year. The Responsible Party shall be available with authority to address and correct violations with the rental of the single family dwelling unit twenty-four hours a day, seven days a week. No guest may stay in the residence until the sign is erected with the necessary information.
- (5) Be familiar with the City's short term rental regulations and provide acknowledgement that the applicant will comply with the City's regulations for short-term rentals at the time of registration.
- (6) Be situated close enough to the single family dwelling unit to be able to and have the capacity to service emergency calls within one (1) hour of notification, including but not limited to evicting tenants.
- (7) Maintain the entire property of the single-family dwelling unit free of garbage and litter. Provide however, that this section shall not prohibit the storage of garbage and litter in authorized private receptacles for collection.

* * *

Sec. 13-114 - Posting of signage.

Prior to the owner of the single-family dwelling unit allowing another person to occupy the single-family dwelling unit as a seasonal resident, owner shall post a sign on the property meeting the following requirements:

- (a) The sign must be prominently placed on the property of the single family dwelling unit so that the required content of the sign shall be legible as viewed from the public right-of-way; however, signage shall not be placed in the public right-of-way;
- (b) Such sign shall be eighteen by eighteen (18x 18) not larger than eighteen (18) inches by twelve (12) inches and not smaller than sixteen (16) inches by ten (10) inches in size;
- (c) The sign must clearly indicate the name, and twenty-four (24) hours a day, seven (7) days a week emergency contact phone number of the local responsible party for said single-family dwelling unit. If the responsible party phone number and the rental contact phone number are different, the sign shall clearly indicate both phone numbers;
- (d) The sign must clearly indicate the occupancy limit and maximum available parking;
- (e) The sign must be continuously on the property of the single-family dwelling unit during any period a local business tax or registration has not expired.
- (1) A current City of Destin annual decal must be displayed in the top right hand corner of the sign. The City will provide the property owner with such annual decal at the time of annual registration of the short-term rental.

Sec. 13-105. - Registration required.

It shall be unlawful for any person to allow another person to occupy any single family dwelling unit as a seasonal resident within the City of Destin, or offer such rental services within the City of Destin, unless the person has been registered with the City of Destin in accordance with the provisions of this article. Once registration is complete, the applicant will receive a city-issued annual sticker which must be displayed in a conspicuous location at the front of the rental property.

Additionally, the applicant shall post a sign on the property in accordance with section 13-114 of this Code within seven (7) days following the completion of the registration process.

(Ord. No. 17-03-CC, § 3, 2-21-17; Ord. No. 18-10-CC, § 3, 6-18-18)

Sec. 13-106. - Formal application required.

Every person required to procure a registration under the provisions of this article shall submit a new application for such registration each year to the city manager or his designee. Submission of an incomplete registration application form shall result in rejection of the application.

(Ord. No. 17-03-CC, § 3, 2-21-17)

Sec. 13-107. - Application for registration.

Applications for registration shall include:

- (1) Address, lot, block and subdivision name of single-family dwelling unit offered for rental.
- (2) Name, address, and phone number of owner of said single-family dwelling unit.
- (3) Email of owner of said single-family dwelling unit.
- (4) Name, address and emergency contact phone number of a responsible party who resides within thirty (30) miles of said single-family dwelling unit. The contact number shall be a twenty-four-hour, seven (7) days a week contact number.
- (5) Emergency contact phone number for a responsible party shall be answered twenty-four (24) hours a day, seven (7) days a week, and the Responsible party shall have authority to address and correct violations associated with the single-family dwelling unit including but not limited to authority to evict tenant(s).
- (6) Acknowledgement signed by the owner or agent of the owner, understanding and agreeing to the initial and on-going compliance with the City of Destin's short-term rental regulations and standards contained herein and all other applicable local, state, and federal laws, regulations, and standards to include, but not limited to F.S. ch. 509, and Rules, Chapter 61C and 69A, of the Florida Administrative Code.
- (7) Valid and current City of Destin Business Tax Receipt.
- (8) Valid and current Florida Department of Revenue Annual Resale Certificate under F.S. ch. 212, and a valid current department of business and professional regulation vacation rental dwelling license under F.S. ch. 509.

- (9) Signage must be displayed in accordance with City of Destin Code of Ordinances chapter 13, article VI.
- (10) Application fee is required at the time of application and is non-refundable. Applications submitted without an application fee will be deemed incomplete.
- (11) Applications deemed incomplete will be rejected/returned to the owner/applicant and are subject to a reapplication fee and late fees.
- (12) Applications in a paper format may be subject to an additional administrative fee.

(Ord. No. 17-03-CC, § 3, 2-21-17; Ord. No. 18-10-CC, § 3, 6-18-18)

Sec. 13-108. - Local 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 the local responsible party within fifteen (15) days of such change.

The designation of a local responsible party does not relieve the owner of the responsibility to comply with all state and local statutes and ordinances. Further, a local responsible party who accepts the designation to act on behalf of a property owner is held to the same standard as the property owner with respect to compliance with all statutes and ordinances and may be cited for non-compliance with any code, rule or ordinance applicable to the property.

Further, it is hereby made the affirmative duty of the local responsible party to:

- (1) Inform all seasonal residents prior to occupancy of the single family dwelling unit of applicable City of Destin ordinances concerning noise, vehicle parking, garbage and common area usage.
- (2) Maintain all properties under their control in compliance with the occupancy limits, as specified in the City of Destin Code of Ordinances.
- (3) Ensure 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) Post a sign outside the residence that clearly identifies the management company responsible for the property and the phone number of the local responsible party that is located within thirty (30) miles of the residence, in accordance with sections 13-107 and 13-114 of this Code. The name and address of the responsible party shall be listed on the annual registration form. The responsible party shall immediately notify the city if the responsible party changes during the year. The responsible party shall be available with authority to address and correct violations with the rental of the single family dwelling unit twenty-four (24) hours a day, seven days a week. No guest may stay in the residence until the sign is erected with the necessary information.
- (5) Be familiar with the city's short term rental regulations and provide acknowledgement that the applicant will comply with the city's regulations for short-term rentals at the time of registration.
- (6) Be situated close enough to the single family dwelling unit to be able to and have the capacity to service emergency calls within one (1) hour of notification, including but not limited to evicting tenants.