

# Memorandum

No. 14-0129

City Attorney's Office

To: Honorable Mayor and Commissioners

From: Cynthia A. Everett, City Attorney *CAE*

Date: June 2, 2014

Re: Vacation Rentals

The Florida Legislature recently enacted Senate Bill 356 revising the permitted scope of local regulations of vacation rentals. Effective July 1, 2014, local governments will be able to regulate vacation rental use as long as the regulations do not regulate the duration and frequency of the rentals. Prior to this amendment, Florida Law 2011-119 preempted any local law, ordinance or regulation from restricting the use of vacation rentals, prohibiting vacation rentals, or regulating vacation rentals based solely on the their classification, use or occupancy.

The change is as follows:

(b) A local law, ordinance, or regulation may not ~~restrict the use of vacation rentals, prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals based solely on their classification, use, or occupancy.~~ This paragraph does not apply to any local law, ordinance, or 30 regulation adopted on or before June 1, 2011.

The state no longer prevents local restrictions, prohibitions and regulations of the use of vacation rentals based solely on their classification, use, or occupancy but now prevents the prohibition of vacation rentals and the regulations of their duration and frequency.

Please do not hesitate to contact me if you have any further questions.

CAE/mr