

ORDINANCE NO. C-17-07

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ARTICLE X. – VACATION RENTALS, OF CHAPTER 15 – BUSINESS TAX RECEIPTS AND MISCELLANEOUS BUSINESS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CLARIFY THE APPLICABILITY OF SECTION 15-276; TO ENABLE THE CITY COMMISSION TO WAIVE INSPECTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 15-276 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 15-276. False information.

It shall be unlawful for any person to give any false or misleading information in connection with the any application for registration, modification, or renewal of a vacation rental as required by this Article. Vacation rental applications shall be sworn to under penalty of perjury. Any false statements made in an application shall be a basis for the revocation of any license issued pursuant to such application.

SECTION 2. That Section 15-279 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 15-279. - Initial and routine compliance inspections of vacation rentals.

(a) An inspection of the dwelling unit for compliance with this section is required prior to issuance of an initial vacation rental certificate of compliance. If violations are found, all violations must be corrected and the dwelling unit must be re-inspected prior to issuance of the initial vacation rental certificate of compliance as provided herein.

(b) Once issued, a vacation rental unit must be properly maintained in accordance with the vacation rental standards herein and will be re-inspected annually. For an inspection, all violations must be corrected and re-inspected within thirty (30) calendar days. Failure to correct such inspection deficiencies in the timeframes provided shall result in the suspension of the vacation rental certificate of compliance until such time as the violations are corrected and re-inspected.

(c) The inspections shall be made by appointment with the vacation rental responsible party. If the inspector has made an appointment with the responsible party to complete an inspection, and the responsible party fails to admit the officer at the scheduled time, the owner shall be charged a "no show" fee in an amount to be determined by resolution of the city commission to cover the inspection expense incurred by the city.

(d) If the inspector(s) is denied admittance by the vacation rental responsible party or if the inspector fails in at least three (3) attempts to complete an initial or subsequent inspection of the rental unit, the inspector(s) shall provide notice of failure of inspection to the owner to the address shown on the existing vacation rental certificate of compliance or the application for vacation rental.

(1) For an initial inspection, the notice of failure of inspection results in the certificate of compliance not being issued; the vacation rental is not permitted to operate without a valid certificate of compliance.

(2) For a subsequent inspection, the notice of failure of inspection is considered a violation and is subject to enforcement remedies as provided herein.

(e) The City Commission may, by resolution, prescribe the circumstances under which the inspections required by this section may be waived.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 4th day of April, 2017.

PASSED SECOND READING this the 19th day of April, 2017.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI