

No. 795

**A RESOLUTION OF THE TOWN OF SEWALL'S POINT IN SUPPORT OF HOUSE BILL 307 AND SENATE BILL 356 REGARDING VACATION RENTALS**

**WHEREAS**, prior to 2011, cities and towns, through their Home Rule authority, could regulate vacation rentals, a practice adopted by approximately 44 Florida cities and towns by adoption of vacation rental ordinances; and

**WHEREAS**, some cities and towns have found that the constant turnover in some of these rentals is similar to that of a hotel or other commercially zoned properties, a use that is not appropriate in single-family residentially zoned areas; and

**WHEREAS**, only cities with vacation rental ordinances that were adopted prior to June 1, 2011 are allowed to regulate these properties, with all other cities being preempted by the 2011 legislation, leaving municipalities that may not have had problems with vacation rentals in 2011, but do now, unable to craft local solutions to solve these problems because of the preemption; and

**WHEREAS**, municipalities like Sewall's Point that have adopted vacation rental ordinances prior to 2011 will invalidate their ordinance if they choose to amend it, even should they choose to make the ordinance less restrictive; and

**WHEREAS**, every town or city is unique and the ordinances currently in place reflect these differences, some requiring that these properties be rented for a week or more at a time, others requiring registration or signage with the owner or their designee's contact information be provided in case issues arise with the property; and

**WHEREAS**, if the preemption is removed, a municipality would still have to go through the ordinance adoption process before any regulation takes place, affording concerned or affected residents multiple opportunities to comment or provide feedback on the proposed ordinance before it is adopted;

**NOW THEREFORE**, be it resolved, that the Town Commission of the Town of Sewall's Point advise the Florida Legislature, and in particular the members of its local delegation, of the Town's support for House Bill 307 and Senate Bill 356 in order to remove a preemption placed on local governments in 2011 that currently prevents cities and counties from regulating vacation rentals.

	<u>AYE</u>	<u>NAY</u>
MAYOR PAMELA BUSHA	✓	_____
PAUL LUGER, VICE MAYOR	✓	_____
VINCENT N. BARILE, Commissioner	✓	_____
THOMAS P. BAUSCH, Commissioner	✓	_____
JACQUI THURLOW-LIPPISCH, Commissioner	✓	_____

The Mayor thereupon declared this Resolution No. 795 approved and adopted by the Town Commission of the Town of Sewall's Point on this 25<sup>th</sup> day of February, 2014.

TOWN OF SEWALL'S POINT, FLORIDA

Pamela M. Busha  
Pamela Busha, Mayor

ATTEST:

Ann-Marie S. Basler  
Ann-Marie S. Basler, Town Clerk

(TOWN SEAL)

Glen J. Torcivia  
Glen J. Torcivia, Town Attorney  
Florida Bar No. 343374  
Approved as to form and legal sufficiency