

AN ORDINANCE FOR REQUIREMENTS AND ALLOWANCE OF
SHORT-TERM RENTALS

WHEREAS, the Planning Commission for the City of D'Iberville held a public hearing on August 23, 2022 concerning the proposed short term rental ordinance, during which it heard a presentation from the city's Planning and Zoning Director, Cassi Thompson, concerning the proposed ordinance; and,

WHEREAS, during said public hearing requests and comments from interested citizens were offered and no one offered comments for or against said text amendments; and,

WHEREAS, the Planning Commission after due consideration voted in the affirmative to recommend the adoption of the proposed zoning text amendments as presented; and,

WHEREAS, the adoption of the proposed short term rental ordinance as presented are found to be necessary for the purpose of maintaining safety and regulations for our city, its citizens, and city visitors.

The proposed Short Term Rental Ordinance is described below

WHEREAS, the definition for Short Term Rentals and provisions are as follows:

Section 1. Short Term Rental:

Definition

Short-term rental: Any dwelling or condominium or portion thereof that is available for use or is used for accommodations or lodging of guests, paying a fee or the compensation for a period of less than thirty (30) consecutive days. For the purpose of House Bill No. 1836 (1998) regarding a tax levy on lodging rentals, short-term rental "means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests and which are known in the trade as such." The term "short-term rental" does not include any hospital, convalescent or nursing home, shell houses, group homes, or sanitarium or any facility associated with a hospital providing rooms for medical patients and their families. The term "short-term rental" shall also not include mobile homes, manufactured homes, group homes, travel trailers, tents, recreational vehicles, campers or other similar vehicles or structures.

Section 2. Short-Term Rentals are NOT permitted in the following zoning districts:

AG (Agricultural), R-E (Residential Estates), R-1 or R-2 (Single Family Homes), R-3 (General Residential District), R-5 (Manufactured Home District), R-O (Residence Office District)

Section 3. Short-Term Rentals shall be allowed as Conditional Use upon properties situated within the following zoning districts:

R-4 (Multifamily Residential District) and R-4A (Mixed Multi-family Residential District),
WF (Waterfront District)

Section 4. Short-Term Rentals shall be permitted as a Use by Right in the following zoning Districts:

C-1 Neighborhood Commercial, C-2 General Commercial District, C-3 Interstate Commercial District, FMD French Market District

Section 5. Declaration of Policy

This section is intended to provide standards for Short-Term Rentals to allow for a Visitor Accommodation Use for properties, which have the characteristics of providing specific limitations, which should prevent the commercial exploitation of these properties.

Section 6. Monitoring

Short-Term Rentals shall maintain a guest register, which shall be made available for inspection by the City upon request. The guest register shall include the names and home addresses of transient guests, the transient guests' license plate numbers, dates of stay, and the unit number utilized by each transient guest.

Section 7. Permit Application Requirements

Short-Term Rentals shall be authorized only upon completing all items included and recited within the Zoning to obtain Conditional Use Approval for this use. Individuals requesting Short-Term Rental authorization shall be required to pay an annual application fee of one-hundred dollars (\$150.00); such fee is to be assessed and paid by applicant to the City of D'Iberville, provide the name(s) of agencies (i.e., Airbnb, VRBO, HomeAway, etc.) they are affiliated with and obtain a Certificate of Occupancy. The Certificate of Occupancy, and Privilege Tax License shall not be transferred to any subsequent owner, and any change in ownership shall require new applications for all such certificates, permits, and licenses.

Section 8. STR (Short-Term Rentals) Standards

Nothing in this subsection shall be construed to permit any commercial or residential use not otherwise allowed by the specific district classification in which STR's are located.

Exterior signage advertising STR's shall not be permitted

All lighting shall be compatible with the residential quality of the neighborhoods of STR's.

Parking for STR's shall be provided on site at a ratio of one parking space per unit or bedroom available, whichever is greater. Parking shall be arranged in a style reflective of a residential use.

The combination of parking and all structures included as part of a STR shall occupy no more than sixty percent (60%) of the lot upon which this use is to be located.

Nothing in this section shall confer a right to offer STR where such use is prohibited by a homeowner's association agreement, by a rental agreement, or any other restrictions or covenants,

Upon accepting any STR rental application, the City of D'Iberville may notify the State Department of Revenue, Harrison County Tax Assessor, and Hotel and Lodging Association to make them cognizant of the intention of establishing STR facility at the location offered.

STR shall be subject to annual Building and Fire inspections by the D'Iberville Fire Department, and D'Iberville Building Inspector or as required by City Ordinance.

Any violation of these STR provisions may result in the enforcement of remedies and penalties.


The penalty for operating an STR without a business license will be assessed a fine of one hundred dollars (\$100) per violation per day.

This ordinance shall become effective thirty days from and after its passage and publication with law.

The foregoing ordinance was offered upon a motion by Councilman Chipley and seconded by Councilman Bosarge with the vote thereon being as follows:

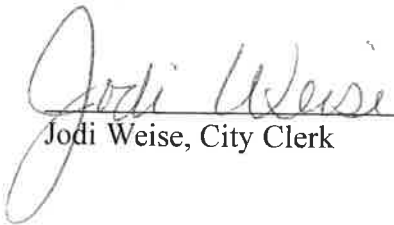
Councilperson Craig Diaz	<input checked="" type="radio"/> aye	<input type="radio"/> no
Councilperson Carrie Taranto-Chipley	<input checked="" type="radio"/> aye	<input type="radio"/> no
Councilperson Gerald Burdine	<input checked="" type="radio"/> aye	<input type="radio"/> no
Councilperson Randall Pelous	<input checked="" type="radio"/> aye	<input type="radio"/> no
Councilperson Joey Bosarge	<input checked="" type="radio"/> aye	<input type="radio"/> no
Mayor Rusty Quave	<input checked="" type="radio"/> aye	<input type="radio"/> no

THUS ORDAINED this the 20 day of September, 2022.



Rusty Quave, Mayor

Attest:



Jodi Weise, City Clerk

SEAL