

Ordinance 175

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) days. For the purpose of House Bill No. 1836 (1998) regarding a tax levy on lodging rentals, a short-term rental “means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging, or sleeping purposed to transient guests and which are known in the trade as such.” The the “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 room for medical patients and their families. The term “short-term rental” shall also not include mobile homes, manufactured home, 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-4 (Multi-Family)*, *R-4A (Mixed Multi-Family)*, R-5 (Manufactured Home District), R-O (Residence Office District)

Section 3. Short-Term Rentals shall be permitted as a Use by Right in the following zoning Districts:

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

Section 4. 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 5. 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 6. Permit Application Requirements

Short-Term Rentals shall be authorized only upon completing all items included and recited within the Zoning Ordinance. ~~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 7. 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.