

ORDINANCE 2007-2

AN ORDINANCE AMENDING TITLE 5, CHAPTER 4, ZONING, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO CREATE ARTICLE 9, SHORT-TERM RESIDENTIAL RENTALS.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Findings:

A. That the use of residential property in the City for short-term rentals has created special issues and problems that need to be addressed by a specific zoning ordinance.

B. That, in general, it has been the experience of the City that short-term renters generate more waste, litter, traffic and over-crowding, keep later hours and create a greater disruption with light and noise than long-term tenants or owners. Such use must be balanced against the desirability of peace, tranquility and quality of lifestyle for long-term tenants and owners in the City.

C. That the City's Planning Commission has studied the impact of short-term residential rentals and after a thorough inquiry has made certain recommendations to City Council on how best to resolve the issues and problems.

SECTION 2. That the following Title 5, Chapter 4, Zoning, Article 9, Short-term Rentals, is hereby adopted:

Sec. 5-4-201 Definition of Short-term Rental. For purposes of this Article, a "Short-term Rental" is defined as the use of any dwelling, including the Lot upon which the dwelling is located, anywhere within the City whereby the dwelling is leased or otherwise made available by the owner to another person for a term of three months or less. Any reference in this Article to "dwelling", "residence" or "rental" shall mean a Short-term Rental.

Sec. 5-4-202 Maximum Overnight Occupancy.

A. The maximum overnight occupancy of a residence shall be limited to the greater of:

(1) Two people per bedroom, plus two people.

(2) One person per 250 square feet of gross heated floor area in the entire house;

or

(3) Six (6) people.

B. Children under two (2) years of age shall not be included in determining the maximum overnight occupancy.

Sec. 5-4-203 Maximum Occupancy at Any Time. Notwithstanding any other provision of this Chapter to the contrary, at no time shall the total number of persons at a residence exceed forty (40) persons, including children.

Sec. 5-4-204 Maximum Number of Vehicles. The maximum number of vehicles that may be located at a residence between the hours of 11:00 p.m. to 9:00 a.m. shall be limited to one vehicle per approved bedroom or one vehicle for every 2.5 people allowed under the maximum overnight occupancy. In no instance shall the number of vehicles allowed be less than two.

Sec. 5-4-205 Written Notice to be Posted in Residence. A written notice provided by the City which contains information about certain ordinances generally impacting tenants of Short-term Rentals shall be posted conspicuously and maintained in the Dwelling by the owner and displayed at all times.

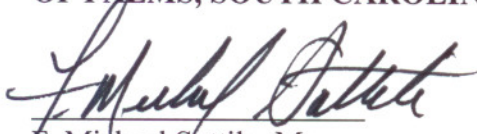
Sec. 5-4-206 Provisions are Cumulative. All provisions contained in this Article shall be cumulative to all other federal, state and City laws, ordinances and regulations to which an owner or tenant may be subject regarding the ownership, use, rental or occupancy of a residence."

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this Ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF MARCH, 2007.


F. Michael Sottile, Mayor

(Seal)

Attest:



First Reading: February 27, 2007



ORDINANCE 2007- 3

AN ORDINANCE AMENDING TITLE 1, CHAPTER 3, ARTICLE D, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, REGARDING VIOLATIONS OF CITY ORDINANCES AND PENALTIES THEREFOR.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 1-3-66 is hereby amended by adopting the following subsection (c):


“(c) Any owner of real property, which for purposes of this subsection shall include any person or entity in possession or control of real property, who knowingly allows other persons or entities to violate or to continue to violate any provision of this Code on the property of such owner, or who knowingly allows habitual violations of this Code to occur on the property, is guilty of a misdemeanor and shall be punished by a fine not exceeding \$500 or imprisonment for a term not exceeding 30 days, or both, in the discretion of the municipal judge. Each day of any such violation shall constitute a separate offense.”

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF MARCH, 2007.


F. Michael Sottile, Mayor

(Seal)

Attest:



First Reading: February 27, 2007



ORDINANCE 2007-4

AN ORDINANCE AMENDING TITLE 7, CHAPTER 1, BUSINESS LICENSES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING SUSPENSION OR REVOCATION OF A BUSINESS LICENSE AND THE CREATION OF A SHORT-TERM RESIDENTIAL RENTAL CLASSIFICATION.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 7-1-15 E. is hereby amended in its entirety to read as follows:

"E. A licensee has engaged in or allowed an unlawful activity or nuisance relating to the business; or licensee has demonstrated an inability or unwillingness to prevent licensee's tenants from engaging in unlawful activities or creating nuisances related to the business."

SECTION 2. That Section 7-1-22 (b), Class 8 Rates, is hereby amended to add the following classification:

"SIC 6513; NAICS 53111-Lessors of Residential Housing Units-Less than Ninety (90) Days (Non-resident rates do not apply).

Minimum on first \$2,000.....	\$175.00	PLUS
Per \$1,000, or fraction, over \$2,000.....	\$ 2.30	

The application shall require a written acknowledgment by the licensee that a violation of the City's Code of Ordinances, either by the licensee, licensee's property manager, or licensee's rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current 24 hour per day telephone numbers at which the City may contact the licensee and, if applicable, the licensee's property manager.

Notwithstanding any other provision of this Ordinance, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty."

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this Ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 27th DAY OF MARCH, 2007.


F. Michael Sottile, Mayor

(Seal)

Attest:





First Reading: February 27, 2007

Second Reading: March 27, 2007

Ratification: March 27, 2007