

Sec. 8-30. Short term vacation rental license.

- (a) For the purposes of this chapter, a short term vacation rental is defined as the renting or leasing of a single-family dwelling unit, not including a guest house, recreational vehicle or boarding house, where the term of occupancy, possession, or tenancy is 30 consecutive calendar days or less. Renting or leasing, as used herein, means the payment of compensation, money, rent, or other, bargained for consideration in exchange for occupancy, possession, or use of the property.
- (b) No person or entity shall rent, lease or otherwise exchange for compensation all or any portion of a dwelling unit as short term vacation rental without first obtaining a short term rental license pursuant to the regulations contained in this article.
- (c) Any license issued pursuant to this article shall be valid for a term of one calendar year starting April 1 and expiring on March 31 of the next year.
- (d) No licensee shall transfer the right to operate under any license issued under this chapter to any other person or entity by lease, agreement, or any other contract.
- (e) No license issued under this article may be operated or shall have any legal effect at any location other than that for which it is issued.
- (f) The maximum day or night occupancy for any license issued pursuant to this article shall be two persons of any age per bedroom plus two additional persons of any age per residence, but no rental unit shall have a maximum occupancy greater than 12.
- (g) Nothing in this chapter shall be deemed to alter, affect, supersede or conflict with the requirements of any state or federal law, the Jasper County Code of Ordinances, or any applicable private covenants or third-party contractual obligations regarding the prohibition or limitation of the use of any residential property as a short term vacation rental unit.
- (h) Prior to issuance of any license pursuant to this chapter, an applicant must be in compliance with all applicable requirements under federal, state, and/or county ordinances. Compliance with state and county statute and ordinances shall specifically include the requirement that the applicant or business of the applicant is not delinquent in the payment of any tax or fee owed the county, including, but not limited to, personal or real property taxes, any occupational taxes, sales and use taxes, or payment for any required permit necessary for operation of applicant's business. For purposes of this section, any tax that has been paid, formally appealed to the proper authorities, or is being paid pursuant to a plan authorized and approved by the appropriate tax or revenue commissioner shall not be deemed delinquent.
- (i) Prior to issuance of any license pursuant to this chapter, an applicant must have the following inspections performed on the dwelling. The Jasper County Fire Chief or their designee shall inspect and certify the home for compliance of 2018 NFPA 101 and IFC 2018. The Jasper County Building official shall inspect and certify the habitable areas in accordance with 2018 IRC. Additionally, the Jasper County Health department will inspect and certify that the septic system meets or exceeds the state requirements for the homes occupancy as determined by the Jasper county Fire Chief or their designee.
- (j) The application process, management, and enforcement of the issuance and regulation of short term vacation rentals shall be the responsibility of the planning and zoning director, or their designee.

Sec. 8-31. Short term vacation rental overlay license limitation.

- (a) No license shall be issued unless and until the applicant provides sufficient evidence that the subject single-family dwelling unit was operated as a short term vacation rental prior to July 10, 2023. Such evidence may include the following: proof of payment and remittance of hotel-motel tax, records reflecting rental of the subject property, advertisement or marketing materials, or any other relevant evidence. Evidence in support of the same shall be submitted by the applicant with the license application.
- (b) There is imposed a limitation of no more than 30 short term vacation rental licenses. In the event that any license is revoked pursuant to this chapter, a license is not renewed, or a license is surrendered after sale and/or transfer of the property, the total number of allowed licenses shall be reduced by such revocation, non-renewal, or sale/transfer.

Sec. 8-32. Short term vacation rental regulations.

Any and all holders of any licenses issued pursuant to this article shall abide by the following regulations:

- (a) Licensees shall not allow occupants to violate any federal, state, or local law, statute, rule or ordinances, including, and shall maintain compliance with all requirements regarding the appointed short term vacation rental agent.
- (b) All marketing and advertising of the licensed premises shall include the prominent display of the number of the license issued pursuant to this chapter, and such license number shall be prominently displayed on the exterior of the premises and visible from the road on the licensed premises. All marketing and advertising shall include notification of the maximum occupancy and maximum numbers of vehicles allowed.
- (c) A licensee may retain a managing agency, managing agent, operator, representative or local contact person to comply with the requirements of this section, including without limitation, the licensing of the short term vacation rental, the management of the short term vacation rental and the compliance with the conditions of this license. The owner of the short term vacation rental is responsible for compliance with the provisions of this section and the failure of an agent, representative, or local contact person to comply with this section shall be deemed noncompliance by the owner.
- (d) Each licensee shall designate a short term vacation rental agent who must reside in Jasper County and has access and authority to assume management of the short term vacation rental unit. The licensee may be designated as the short term vacation rental agent. The name of the property owner and the short term vacation rental agent shall, along with their email addresses and telephone numbers at which the agent may be reached on a 24-hour, seven days a week, basis must be displayed with the short term rental license. The short term vacation rental agent shall be required to respond to the location of the short term rental within one hour after being notified of the existence of a violation of this chapter or any other provision of this Code, or any disturbance requiring immediate remedy or abatement. A licensee must immediately notify the planning and zoning director, or their designee, in writing upon a change of short term vacation rental agent or any change in such agent's contact information, and such notification will be through forms prescribed by the planning and zoning director within five days of any change in agent or contact information.
- (e) A copy of a valid short term rental license shall be posted in a conspicuous location inside the main entrance of the short term rental and shall be presented by the owner, agent, renter, or occupant of

the premises when requested by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer. The contact information for the short rental vacation rental license holder and agent, if applicable, must be prominently displayed within the premises at all times.

- (f) The licensee must furnish the renter of the property a copy of the ordinance from which this article is derived and a contract specifying the terms of the rental which will include the maximum number of persons allowed on the premises at any time. Said contract will also specify the maximum number of vehicles allowed on the property at any time during the rental period. Said contract will further prescribe the maximum number of boats or vessels that may be docked or moored on any body of water adjacent to the short term vacation rental unit. The property owner, agent, or occupant of the short term vacation rental, when requested to do so, will, present a copy of the rental contract to the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer.
- (g) The maximum day or night occupancy for any license issued pursuant to this article shall be two persons of any age per bedroom plus two additional persons of any age per residence, but no rental unit shall have a maximum occupancy greater than 12.
- (h) The presence of more people on the premises of a short term vacation rental than the maximum number specified in the rental contract shall be a violation of this article and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer may order the excess numbers of persons to vacate the premises and any person refusing to do so shall be subject to arrest and prosecution for disorderly conduct as provided for in section 18-56 of the Jasper County Code of Ordinances.
- (i) It shall be unlawful for any occupant of a short term vacation rental to make, continue or cause to be made or continued any excessive, unnecessary, or unusually loud noise which disturbs the peace or quiet of anyone in the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness. All electronic devices with speakers, including televisions, radios and stereo systems must be operated within the enclosed confines of the primary residence between the hours of 10:00 p.m. and 7:00 a.m. The frequent or continuous barking, or other means of communication by animals that disturbs the comfort or repose of the residents of any residential neighborhood shall not be allowed.
- (j) The minimum age of the person signing the rental agreement is 25 and such person shall be responsible for adherence to all regulations in this section by all occupants staying at the short term vacation rental. The person signing the rental agreement shall be required to be present at the short term vacation rental within one hour upon request by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer during the rental period.
- (k) No vehicles shall be parked on any public or private right-of-way and all parking shall be consistent with the parking plan submitted with the license application. The parking plan, which shall be approved as part of licensure, shall be sufficient to allow adequate parking for the maximum occupancy of the rental unit. No person occupying a short term vacation rental shall park any vehicle illegally on any street or road, nor park adjacent to any such street in a manner that would prevent or hinder any emergency vehicle from traveling thereupon. No person occupying a short term vacation rental shall park on any other person's property, or block any driveway of any other person or property owner without permission to do so. No occupant of a short term vacation rental shall be allowed to bring a boat, vessel, personal watercraft, atv or side by side to the short term rental. The sheriff, any deputy sheriff, or code enforcement officer may impound any vehicle found parking in such a manner.
- (l) The presence of more vehicles on the premises of a short term vacation rental, or boats, vessels or personal watercraft docked or moored on a body of water specified in the rental contract shall be a violation of this article and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, or code enforcement officer may order the owners or operators of the excess number of vehicles, boats vessels or personal watercraft to remove them from the property and any person refusing to do may be cited for violating this article. The sheriff, any

deputy sheriff, or code enforcement officer may further impound the excess vehicles, boats, vessels or personal watercraft that are not removed upon a request to do so.

- (m) No renter shall go upon any adjacent properties or the common areas of the neighborhood community unless specifically authorized in advance and in writing by the owner of the short term vacation rental property.
- (n) No accessory structures or recreational vehicles shall be used for any overnight occupancy.
- (o) Any and all pets present at the premises must be leashed or contained at all times.
- (p) The premises may not be utilized for any special event, as defined by this Code, and there shall be no admission charged by the renter for access to the premises.
- (q) No renter shall be allowed to sublet the premises or any rooms during rental.
- (r) No renter shall be allowed to place, site, or occupy any recreational vehicles or campers on the premises during rental.
- (s) All external lighting shall be directed within the parcel and shall not be allowed to impact adjacent properties.
- (t) All garbage and trash must be stored in a trash container or appropriate receptacle and shall not be placed within or adjacent to any private or public right-of-way for a period of time greater than 24 hours.
- (u) An interconnected and hard-wired smoke detection and notification system, with battery backup, is required and must be operable and in good working order at all times.
- (v) Subject to state law, the use of fireworks is prohibited at all short term vacation rentals.
- (w) No licensee or person occupying a short term vacation rental shall engage in any behavior on the premises on the rental property that constitutes a violation of chapter 18 of the Jasper County Code of Ordinances

Sec. 8-33. Short term vacation rental application.

Applicants shall submit, on an annual basis, an application for a short term vacation rental license to the director of planning and zoning. Such application shall include:

- (a) The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought;
- (b) The address of the dwelling unit to be used as a short term vacation rental;
- (c) The name, address, telephone number and email address of the short term vacation rental agent, which shall constitute his or her 24-hour contact information, and who shall be at least 25 years old, and shall be able to be present onsite within one hour of contact;
- (d) The owner's sworn acknowledgement that he or she has received a copy of this section, has reviewed it and understands its requirements;
- (e) The number and location of parking spaces allotted to the premises and site plan indicating designated parking areas;
- (f) The owner's agreement to use his or her best efforts to assure that use of the premises by short term vacation rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties and will abide by all other short term vacation rental regulations, and will abide by any and all other regulations established by this Code.

- (g) Any other information that this article requires the owner to provide to the county as part of an application for a short term vacation rental permit. The director of planning and zoning, or their designee, shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this chapter.
- (h) If the rental agent changes, the property owner shall notify the county within five business days.
- (i) Application and license fees shall be as established by the Jasper County Board of Commissioners.

Sec. 8-34. Citations for violations; revocation of license; penalty.

- (a) To ensure the continued application of the intent and purpose of this chapter, the planning department, through available code enforcement officers or the sheriff through his/her deputies, shall notify the holder of a short term vacation rental license of all instances in which acts or omission of the owner, agent, or any individual results in a citation for a code violation or other legal infraction. Citations may be served upon the short term vacation rental owner, rental agent, or any individual violating the provisions of this article. Each individual code violation, regardless of whether citation for such violation is served collectively with any other violation, and each day or instance of a violation, shall be treated as a separate and independent violation.
- (b) The planning department shall maintain in each short term vacation rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short term vacation rental unit. When a license holder has accumulated three violations for a particular property the county shall revoke any issued license and reject all applications for license.
- (c) If a short term vacation rental applicant has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short term vacation rental license.
- (d) Citations for any of this article shall be heard in the same fashion as other violations of this Code. In addition to the available fines, a court of competent jurisdiction may impose any other available remedy and may suspend the subject license for one violation for the remainder of the license term, regardless of whether the subject property had previously been subject to a violation.
- (e) Violations of this chapter shall be punishable by a minimum fine of \$250 not to exceed \$1,000.00 and/or six months confinement in the Jasper County Jail and shall be subject to the following suspensions:
 - (1) Second violation: Minimum fine \$500 not to exceed \$1000 and a 30 days suspension of license.
 - (2) Third violation: \$1000 fine and revocation of license pursuant to subsection (b).
- (f) Nothing in this section shall limit the county from enforcement of its Code, state or federal law by any other legal remedy available to the county. Nothing in this section shall be construed to limit or supplant the power of any county inspector, deputy marshal or other duly empowered officer under the county's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 8-35. Appeal.

- (a) A person aggrieved by the county's denial of a short term vacation rental license may appeal the decision to the board of commissioners. The appeal must be filed with the county manager's office in writing, within 15 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal.
- (b) The board of commissioners shall consider the appeal within 45 days after receipt by the county manager of a request unless otherwise agreed in writing by the county and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The board of commissioners shall render a determination, which will constitute a final ruling on the application.

