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ORDINANCE NO. 2022-008

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, REPEALING CHAPTER 13 “VACATION RENTAL LICENSE PROGRAM,” OF THE VILLAGE’S UNIFIED LAND DEVELOPMENT CODE (“ULDC”); AMENDING THE ULDC TO CREATE A NEW CHAPTER 13, “VACATION RENTAL LICENSES” TO PROVIDE REGULATIONS FOR VACATION RENTALS IN NON-RESIDENTIAL ZONING DISTRICTS AND FOR CONTINUED OPERATION OF PROPERTIES PREVIOUSLY LICENSED AS A VACATION RENTAL IN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, North Bay Village (the “Village”) has home-rule authority pursuant to Section 166.021, Florida Statutes “to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law”; and

WHEREAS, as detailed in the legislative intent, policy, and findings of the new Chapter 13 provided for herein, from prior to June 1, 2011 through the present, the Village’s Comprehensive Plan, land development regulations, and Code of Ordinances have consistently provided only for “permanent housing” in the Village’s residential land use classifications and zoning districts; and

WHEREAS, therefore, the Village’s Chapter 13, “Vacation Rental License Program” as initially adopted on April 12, 2016 pursuant to Ordinance No. 2016-005 violated the Village’s Comprehensive Plan, land development regulations, and Code of Ordinances, was inconsistent with Section 9.07 of the Village Charter provision providing only for single family residential use on North Bay Island, and, because that Ordinance was specifically intended to be and was non-severable, is hereby deemed and determined to have been void *ab initio* in its entirety, and is repealed as shown in **Exhibit A**; and

WHEREAS, the Village Commission recognizes that the Village’s non-residential zoning districts provide for transient residential uses and seeks to adopt regulations to provide for authorization and regulation of vacation rentals in those districts; and

WHEREAS, in the Village’s residential zoning districts, persons have relied to their detriment in good faith on the Village’s Chapter 13, “Vacation Rental License Program” and, as such, this Ordinance treats previously approved vacation rental licenses as legal nonconforming uses and provides for their continued validity for the duration of the current ownership; and

41 **WHEREAS**, the Village Commission finds and determines that the holders of
42 active vacation rental licenses listed in **Exhibit B** attached hereto and incorporated herein
43 shall continue to have the ability to utilize the property that is the subject of the vacation
44 rental license as a vacation rental in accordance with the regulations of this Ordinance
45 until there is a transfer in ownership of the property, **excluding those transfers among**
46 **entities and between legal to beneficial ownership where the same natural person**
47 **remains in control before and after such transfer;** and

48 **WHEREAS**, on **June 30**, 2022, the Planning and Zoning Board, sitting in its capacity
49 as the Local Planning Agency, reviewed this Ordinance, found that it is consistent with the
50 Future Land Use Element of both the Village’s current adopted and pre-2011 comprehensive
51 plans, and **voted 4-1 to recommend** approval to the Mayor and the Village Commission **with**
52 **the following recommendations:**

53 1. That, where an STVR property owner has multiple, licensed STVR properties, the
54 Village should have the ability to look at an owner's violation history and have the ability to
55 revoke all licenses held by that owner where one or more of the owner’s properties are the
56 subject of violations.

57 2. That the definition of a change in ownership be clarified to exempt transfers from
58 an individual to a trust as a change in ownership.

59 3. That the Village receive applications by July 19 and that licenses be obtained within
60 6 months thereafter, with the ability of the Village Manager to grant a reasonable extension
61 for just cause.; and

62 **WHEREAS**, this Ordinance was duly noticed and presented to the Village
63 Commission in two readings, with second reading conducted as the required public hearing
64 on July 19, 2022; and

65 **WHEREAS**, the Village Commission finds that this Ordinance is consistent with the
66 Future Land Use Element of the Village’s adopted and pre-2011 Comprehensive Plans, is
67 necessary, and in the best interest of the public health, safety, and welfare of the Village’s
68 residents and visitors.

69 **NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND**
70 **COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**¹

71 **Section 1. Recitals.** That each of the above recitals are true and correct and
72 incorporated herein by this reference.

73 **Section 2. Repeal.** That the regulations in Ordinance No. 2016-005, as
74 subsequently amended and codified in Chapter 13 “Vacation Rental License Program” of
75 the Unified Land Development Code of North Bay Village, Florida, are hereby repealed
76 in their entirety, as reflected on **Exhibit A** attached and incorporated herein, because the

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline.

77 adoption of Ordinance No. 2016-005 violated the Village’s Comprehensive Plan, land
78 development regulations, and Code of Ordinances; was inconsistent with Section 9.07 of
79 the Charter providing only for single family residential use on North Bay Island; and,
80 because that Ordinance was specifically intended to be and is non-severable, it is
81 therefore void *ab initio*.

82 **Section 3. Creating Chapter 13 of the Unified Land Development Code.**

83 That Chapter 13 “Vacation Rental Licenses” of the Unified Land Development Code of
84 North Bay Village, Florida, is hereby created to read as follows:

85 **Chapter 13**

86 **VACATION RENTAL LICENSES**

87 **PART 1**

88 **REGULATIONS FOR LEGAL NONCONFORMING VACATION RENTAL LICENSES**

89 **DIVISION 1. GENERAL PROVISIONS**

90 **§ 13.1 Legislative Intent, Purpose, and Findings.**

91 **A. Intent.** Vacation rentals are prohibited in the Village’s residential districts. Since
92 before June 1, 2011 and through the present, through its Comprehensive Plan and
93 Unified Land Development Code (which was comprised of the Village’s Land
94 Development Regulations and Zoning Code until the adoption of Ordinance No. 2017-
95 007 on September 19, 2017), the Village has consistently provided that residential
96 districts are intended for permanent housing. The provisions of the current
97 Comprehensive Plan and ULDC, although amended after 2011, are identical in
98 providing only for permanent housing in the Village’s residential zoning districts, and
99 are otherwise materially and substantially consistent with the Village’s pre-2011
100 Comprehensive Plan and Land Development Regulations. Despite this, the Village
101 previously created, and issued licenses pursuant to, a Vacation Rental License Program
102 codified in a prior Chapter 13 of the ULDC by Ordinance No. 2016-005, as amended,
103 which was not consistent with these standards and, by virtue of its non-severability, has
104 been found void ab initio along with all amendments thereto.

105 **B. Purpose.** The purpose of this part 1 of this chapter is to recognize the existence
106 of legal nonconforming vacation rental licenses for the reasons set forth below and
107 authorize the licensees’ ability to operate the licensed property as a vacation rental in a
108 way that curbs their negative impacts and promotes public health, safety, welfare, and
109 convenience through regulations and standards for short-term vacation rental properties
110 by providing:

- 111 1. For the continued existence of a vacation rental license as long as the same
112 ownership remains, consistent with the prior Chapter 13;
- 113 2. For safety and operational requirements;

- 114 3. For parking standards;
- 115 4. For solid waste handling and containment;
- 116 5. For licensure requiring posting of vacation rental information; and
- 117 6. For administration, penalties and enforcement.

118 **C. Findings.**

119 **1. The Village's Pre-2011 Comprehensive Plan Required, and the Current**
120 **Comprehensive Plan Continues to Require, Permanent Housing in**
121 **Residential Districts.**

122 The Village's Comprehensive Plan has consistently required that residential
123 districts be used for permanent housing since before 2011. The December 11, 2007
124 amendments to the Village's Comprehensive Plan, the last amendments prior to 2011
125 that amended the Future Land Use Element of the Comprehensive Plan, provides the
126 same language regarding permanent housing as the Village's current Comprehensive
127 Plan. Specifically, Policy 2.1.1a of the Future Land Use Element of the pre-2011
128 Comprehensive Plan provides that it is the Village's policy to adopt, among other land
129 use categories, a residential category "with dwelling units used for permanent
130 housing." Similarly, the current Comprehensive Plan provides in Policy 2.1.2 of the
131 Future Land Use Element that it is the Village's policy to adopt, among other land use
132 categories, a residential category "with dwelling units used for permanent housing".

133 **2. The Village's Pre-2011 Land Development Regulations Required, and the**
134 **Current Unified Land Development Code Continues to Require, Permanent**
135 **Housing in Residential Districts.**

136 As reflected in its Comprehensive Plan and land development regulations, it has
137 been—since before June 1, 2011—and remains the Village's intent, policy, and law, that
138 residential lands be used for permanent housing, and both the plain meaning of
139 "permanent housing" and its treatment in the Village's Comprehensive Plan and ULDC
140 excludes transient or temporary housing from the Village's residential zoning districts.

141 Pursuant to Chapter 163, Part II, Florida Statutes, on September 19, 2017, the
142 Village Commission adopted Ordinance No. 2017-007 which repealed the Village's
143 Consolidated Land Development Regulations, repealed Chapter 152, "Zoning" of the
144 Village's Code of Ordinances, repealed Chapter 155 "Design Guideline Standards" of the
145 Village's Code of Ordinances, and created the Village's Unified Land Development Code
146 (the "ULDC"). With the adoption of Ordinance No. 2017-007 on September 19, 2017, the
147 Village's Zoning Code (Chapter 152 of the Code of Ordinances) and Land Development
148 Regulations were consolidated into the ULDC. The ULDC is materially and substantially
149 the same as the Land Development Regulations in requiring that the residential districts
150 be used or intended to be used for permanent housing.

151 Prior to 2011 and up to and including the present, Section 3.2.1 of the Village's
152 Land Development Regulations provided for residential districts, which were described to

153 encompass “all areas with dwelling units used or to be used for **permanent housing**.”
154 (See Supplement 5 of August 31, 2007). Upon adopting the ULDC, the Village’s existing,
155 pre-2011 policy that the Village’s residential districts be used or intended to be used for
156 **permanent housing** was carried forward in the Village’s ULDC.

157 The intent of the ULDC, as set forth in section 1.4 of the ULDC, is, among other
158 things, to protect, promote, and improve the public health, safety, comfort, order,
159 convenience, and general welfare, as well as to protect the character and maintain the
160 stability of the residential areas. The intent in the ULDC is identical to the intent stated in
161 section 1.4 of the Village’s prior Land Development Regulations. See Supplement 5 of
162 August 31, 2007.

163 Chapter 2 of the ULDC provides for the relationship between the ULDC and the
164 Comprehensive Plan. Section 2.1 of the ULDC states, “The Future Land Use Element of
165 the adopted Comprehensive Plan for North Bay Village describes the future land use
166 categories within the Village. These land use categories are illustrated on the future land
167 use map in the Comprehensive Plan. All future development or redevelopment of property
168 within North Bay Village must be consistent with the goals, objectives, and policies
169 expressed in the adopted Comprehensive Plan and with the future land use map. The
170 Unified Land Development Code is intended to implement the Comprehensive Plan. In
171 the event of a conflict between the Comprehensive Plan and the Unified Land
172 Development Code, or any other Village regulation, the provisions of the Comprehensive
173 Plan shall take precedence.”

174 The introduction of Section 2.2 of the ULDC provides, “The future land use
175 categories defined in the future land use element and delineated on the future land use
176 map in said element shall be the determinants of permissible activities on any parcel of
177 land within the Village. They are established to regulate and restrict the location of
178 commercial, public, and semi-public uses, and residences, and the location of buildings
179 erected or altered for specific uses to regulate or limit population density, and intensity
180 of use of lot areas. The zoning districts and associated regulatory provisions identified
181 in the Unified Land Development Code are intended to implement the goals, objectives
182 and policies and Future Land Use Map in the Comprehensive Plan. In the event of a
183 conflict between a provision in the Comprehensive Plan and any provision regulating
184 development within a zoning district, the provisions of the Comprehensive Plan shall
185 take precedence.”

186 Section 2.2(A) of the ULDC provides, “There are three residential future land use
187 categories in the Village’s Comprehensive Plan that are applied to lands throughout the
188 Village. Lands located within these categories are to be devoted to dwelling units used
189 or intended to be used for **permanent housing**.”

190 Sections 3.2.2., 3.2.4., and 3.4.2. of the pre-2011 Land Development Regulations
191 specifically provided for transient residential uses in the commercial and mixed use
192 zoning districts of the Village, while none of the residential zoning districts provided for
193 such uses.

194 In a similar manner, Section 152.031 of the pre-2011 zoning code specifically
195 provides for tourist accommodations, hotels, motels, time-shares, and other forms of
196 transient lodging or units as uses permitted in the Limited Commercial zoning district,
197 while none of the Village’s residential zoning districts provided for such uses.

198 The distinction between residential zoning districts providing for permanent
199 housing and commercial/mixed use zoning districts providing for transient housing
200 remains in effect to date. See Sections 2.2.A. and B. and 8.10.E. of the ULDC.

201 **3. The Village’s Charter Supports Residential Uses Only for North Bay Island**

202 The Village’s interests in protecting lands to be used for permanent housing are
203 further bolstered by Section 9.07, “North Bay Island Zoning” of the Village Charter, which
204 provides, and has provided since before June 1, 2011, that “Land use and future
205 development of North Bay Island in the Village is hereby restricted to single family
206 residential usage.”

207 **4. The Village’s Requirement of Permanent Housing in Residential Districts**
208 **Existed Prior to the State’s Preemption of Vacation Rental Regulation, and**
209 **Remains in Effect, and is Therefore **Legal Nonconforming Grandfathered****

210 Chapter 509, Florida Statutes provides the regulatory framework for public lodging
211 establishments. The State of Florida has preempted the regulation of the operation of
212 public lodging establishments in Section 509.032(7), Fla. Statutes. Section
213 509.013(4)(a)(2), Florida Statutes, defines a “nontransient public lodging establishment”
214 as “any unit, group of units, dwelling, building, or group of buildings within a single
215 complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar
216 month, whichever is less, or which is advertised or held out to the public as a place
217 regularly rented to guests for periods of at least 30 days or 1 calendar month.” Section
218 509.013(4)(a)(1), Florida Statutes, defines a “transient public lodging establishment” as
219 “any unit, group of units, dwelling, building, or group of buildings within a single complex
220 of buildings which is rented to guests more than three times in a calendar year for periods
221 of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held
222 out to the public as a place regularly rented to guests.”

223 In 2011, the Florida Legislature created a new classification of public lodging
224 establishment known as “vacation rental” defined in Section 509.242(1)(c), Florida
225 Statutes, as “any unit or group of units in a condominium or cooperative or any individually
226 or collectively owned single-family, two-family, three-family, or four-family house or
227 dwelling unit that is also a transient public lodging establishment but that is not a
228 timeshare project.” Also in 2011, the Florida Legislature expanded the preemption of local
229 regulations by adopting the following language in Section 509.032(7)(b), Florida Statutes
230 (2011): “A local law, ordinance, or regulation may not restrict the use of vacation rentals,
231 prohibit vacation rentals, or regulate vacation rentals based solely on their classification,
232 use, or occupancy. This paragraph does not apply to any local law, ordinance, or
233 regulation adopted on or before June 1, 2011.”

234 A version of this preemption remains in place with the same grandfathering date
235 as follows: “A local law, ordinance, or regulation may not prohibit vacation rentals or
236 regulate the duration or frequency of rental of vacation rentals. This paragraph does not
237 apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.” See
238 Section 509.032(7)(b), Florida Statutes (2021).

239 On April 12, 2016, the Village Commission adopted Ordinance No. 2016-005 to
240 amend Chapter 152, “Zoning” of the Village’s Code to create Section 152.112, “Vacation
241 Rental License Program” allowing persons to obtain licenses to operate single-family
242 houses or dwelling units as a vacation rental in the Village’s RS-1 and RS-2 residential
243 zoning districts, which licenses were nontransferrable (the “Vacation Rental
244 Regulations”).

245 The Vacation Rental Regulations were amended and renumbered by several
246 ordinances. On December 13, 2016, the Village Commission adopted Ordinance No.
247 2016-010 to make the RM-40 and RM-70 zoning districts subject to the Village’s Vacation
248 Rental Regulations. On September 19, 2017, upon adoption of the ULDC, the Village’s
249 Vacation Rental Regulations previously set forth in Section 152.112 were renumbered
250 and set forth in Chapter 13 of the ULDC, but were otherwise unchanged. On January 9,
251 2018, the Village Commission adopted Ordinance No. 2018-002, further modifying the
252 Vacation Rental Regulations to allow the Village Manager to deny vacation rental licenses
253 to prior violators and to prohibit advertising of unlicensed vacation rentals. On July 9,
254 2019, the Village Commission adopted Ordinance No. 2019-013 once again modifying
255 the Vacation Rental Regulations to intensify notice, application requirements, and code
256 violation penalties. Collectively, Ordinance Nos. 2016-005, 2016-010, 2018-002, and
257 2019-013, which were previously codified in Chapter 13 of the ULDC, are referred to as
258 the “Vacation Rental Ordinances.”

259 Section 5 of Ordinance No. 2016-005 adopting the Vacation Rental Regulations
260 provides that “The provisions of this Ordinance are declared to be **non-severable** and if
261 any section, sentence, clause or phrase of this Ordinance shall for any reason be held to
262 be invalid or unconstitutional, such decision shall render this Ordinance void in its
263 entirety.” In light of the Village’s Comprehensive Plan, Charter, and land development
264 regulations (as currently set forth in the ULDC and as previously provided in Chapter 152,
265 “Zoning” and separate Land Development Regulations), all of which provide that
266 residential districts must be used for **permanent housing**, the Village Commission has
267 found that the Vacation Rental Ordinances are invalid, as vacation rentals are not
268 **permanent housing** and were prohibited in the Village’s residential districts since before
269 June 1, 2011.

270 For the foregoing reasons, the Village Commission has found that the Vacation
271 Rental Ordinances were void *ab initio* and has repealed the Vacation Rental Ordinances
272 from the ULDC concurrently with the adoption of this part 1 of this chapter.

273 **5. Intent to Provide for Legal Nonconforming Right of Existing License**
274 **Holders and Regulations Related To Their Operations**

275 Despite finding that the Vacation Rental Ordinances are void, the Village
276 Commission recognizes that there are property owners who have relied upon these
277 ordinances in good faith to their substantial detriment, and have applied for and received
278 a Vacation Rental License pursuant to the Vacation Rental Ordinances that were effective
279 as to each owner but were not transferrable (the “Existing License Holders”).

280 The Village Commission therefore recognizes the legal nonconforming right of the
281 Existing License Holders to continue using their properties as vacation rentals, subject to
282 their continued compliance with the regulations provided in this part 1 of this chapter.

283 **§ 13.2 Definitions.**

284 For the purpose of this part 1 of this chapter, the following definitions shall apply
285 unless the context clearly indicates or requires a different meaning.

286 *Agent.* A person or entity retained by an owner to carry out the duties and functions
287 of an owner. All references to “owner” in this part 1 of this chapter shall be construed to
288 include a designated agent. The owner must notify the Village in writing, on a form
289 provided by the Village, of the identity and contact information of such agent, the vacation
290 rental for which the agent is designated, and the specific duties that the agent will be
291 performing for the owner. The owner may change the designation of agent at any time
292 through the filing of a new form and the payment of an administrative fee in an amount
293 as set by resolution by the Village Commission. The owner shall be held responsible for
294 all actions of such designated agent with respect to the applicable vacation rental.

295 *Bedroom.* A room or enclosed floor space used or intended to be used for living or
296 sleeping purposes, excluding kitchens, bathrooms, shower rooms, water closet
297 compartments, laundries, pantries, foyers, connecting corridors, closets and storage
298 space.

299 *License.* A vacation rental license issued by the Village prior to [INSERT EFFECTIVE
300 DATE OF THIS ORDINANCE] ~~the Effective Date of this Ordinance.~~

301 *Occupant.* Any person who occupies, either during the day or overnight, a vacation
302 rental.

303 *Owner* is the fee simple owner of the vacation rental, whether an individual,
304 partnership, corporation, limited liability company, trust, or other entity. In the event the
305 owner is not an individual, each and every person who owns 10 percent or more of the
306 equitable interest in the vacation rental shall also be deemed an owner. Includes an agent
307 designated by the owner to perform the duties and functions of the owner.

308 *Transient public lodging establishment.* Any unit, group of units, dwelling, building or
309 group of buildings within a single complex of buildings which is rented to guests more
310 than three times in a calendar year for periods of less than 30 days or one calendar month,
311 whichever is less, or which is advertised or held out to the public as a place regularly
312 rented to guests.

313 *Vacation rental.* Any individually or collectively owned single- or multi-family house
314 or dwelling unit that is also a transient public lodging establishment, and is located in an
315 area zoned RS-1, RS-2, RM-40, or RM-70. Includes the yards, driveways, and curtilage

316 of any detached dwelling unit. For properties with split zoning (where a portion of the
317 structure with residential uses is zoned one of the listed residential districts and a portion
318 is zoned a non-residential district), the property shall be deemed to be nonresidentially
319 zoned for purposes of this Chapter and regulated by part 2. If the portion of the property
320 with non-residential zoning only contains parking or nonresidential uses, then the
321 residential portion of the property shall be deemed residential for purposes of this Chapter
322 and regulated by part 1.

323 Vacation rental representative. The owner or the person designated by the owner of
324 the vacation rental to be called upon to answer and be responsible for the maintenance
325 of the vacation rental and the conduct and acts of occupant(s) of vacation rental
326 properties.

327 Village. North Bay Village, Florida, as geographically described in its Charter.

328 **DIVISION 2. MAINTENANCE OF VACATION RENTAL LICENSE**

329 **§ 13.3. Active license required.**

330 A. Owners with an application for a license that the Village has deemed complete on
331 or prior to [INSERT EFFECTIVE DATE OF THIS ORDINANCE] shall be treated
332 as license holders for purposes of this Division 2 if they diligently pursue the license
333 approval process and obtain a license within 6 months following [INSERT
334 EFFECTIVE DATE OF THIS ORDINANCE].

335 B. All vacation rentals must hold an active vacation rental license issued by North Bay
336 Village to operate within the Village. A separate vacation rental license shall be
337 required for each vacation rental. The operation of a vacation rental without license
338 shall be a violation of this part 1 of this chapter. Every day of such operation
339 without license shall constitute a separate violation.

340 C. Advertisements pertaining to a vacation rental shall be consistent with the
341 requirements, restrictions and regulations for vacation rentals and shall contain, at
342 a minimum, the occupancy limit and maximum parking available for the vacation
343 rental. Any advertisement inconsistent with the requirements, restrictions,
344 regulations of the vacation rental license program shall be deemed prima facie
345 evidence in any enforcement action that a vacation rental is being operated in
346 violation of this part 1 of this chapter.

347 **§ 13.4 Application for renewal or modification of a vacation rental license.**

348 A. An owner seeking renewal or modification of a vacation rental license shall submit to
349 the Village a completed vacation rental license application in a form promulgated by
350 the Village, together with an application fee in an amount set by resolution of the
351 Village Commission.

352 B. A complete application for the renewal or modification of a vacation rental license
353 shall demonstrate compliance with the standards and requirements set forth in this
354 part 1 of this chapter through the following submittals:

- 355 1. A completed vacation rental license application form, which must identify:
- 356 i. the name, address and phone number of the owner, and **sworn** evidence
- 357 to demonstrate that this fully discloses all owners of the vacation rental
- 358 as defined herein;
- 359 ii. the address and legal description of the vacation rental; and
- 360 iii. the name, address, and phone number of the vacation rental
- 361 representative.
- 362 2. Payment of applicable fees.
- 363 3. A copy of the vacation rental's current and active license as a Transient Public
- 364 Lodging Establishment with the Florida Department of Business and
- 365 Professional Regulation.
- 366 4. A copy of the vacation rental's current and active certificate of registration with
- 367 the Florida Department of Revenue for the purposes of collecting and remitting
- 368 sales surtaxes, transient rental taxes, and any other taxes required by law to be
- 369 remitted to the Florida Department of Revenue.
- 370 5. Evidence of the vacation rental's current and active account with the Miami-Dade
- 371 County Tax Collector for the purposes of collecting and remitting tourist and
- 372 convention development taxes and any other taxes required by law to be
- 373 remitted to the Miami-Dade County Tax Collector.
- 374 6. A copy of the current Local Business Tax Receipt.
- 375 7. *Interior building sketch by floor.* A building sketch (may be hand drawn) by floor
- 376 shall be provided, showing a floor layout and demonstrating compliance with the
- 377 standards and requirements set forth in this part 1 of this chapter. The sketch
- 378 provided shall be drawn to scale, and shall show and identify all bedrooms, other
- 379 rooms, exits, hallways, stairways, smoke and carbon monoxide detectors,
- 380 swimming pools, fire extinguishers and exit signage/lighting.
- 381 An exterior site sketch (which may be hand drawn) showing and identifying all
- 382 structures, pools, spas, hot tubs, fencing, and uses, including the number and
- 383 the location of all on-site and off-site parking spaces for the vacation rental,
- 384 including identifying those parking spaces available for use by occupant(s).
- 385 9. Acknowledgement that each bedroom shall be equipped with an approved listed
- 386 single-station smoke detector meeting the minimum requirements of the NFPA.
- 387 10. A section indicating the maximum occupancy of the vacation rental in
- 388 accordance with Section 13.14.
- 389 11. A copy of the generic form vacation rental agreement to be used when
- 390 contracting with occupant(s).
- 391 12. Statement as to whether the entire property, or just a part thereof (i.e., a room or
- 392 rooms), will be used as a vacation rental.
- 393 13. Statement indicating how many times, and for how many days, the property was
- 394 used as a vacation rental within the previous calendar year.

395 14. Notarized statement that the vacation rental representative has the permission
396 of the owner and authority to offer the property as a vacation rental and act as
397 the vacation rental representative in accordance with the duties prescribed in
398 Section 13.9.

399 C. Incomplete applications will not be accepted, but will be returned with any fees
400 submitted to the owner with a notation of what items are missing.

401 D. Vacation rental license applications shall be sworn to under penalty of perjury. Any
402 false statements in an application shall be a basis for the revocation of any license
403 issued pursuant to such application.

404 E. All vacation rental license applications that are not signed by the owner must be
405 accompanied by a signed and notarized letter providing the consent of the owner for
406 the application, with acknowledgement that the Village may impose, cite, and fine the
407 property for violations of this part 1 of this chapter, as well as pursue all other
408 available remedies which may include injunction relief, abatement of public nuisance,
409 liens, imprisonment and other penalties as provided by law.

410 F. *Enforcement history.* When reviewing an application to renew a vacation rental
411 license, the village manager or designee shall consider the violation history of the
412 vacation rental identified in the application. If the violation history shows three or more
413 violations of this part 1 of this chapter within the preceding 12 months from the
414 application date, the village manager or designee shall not renew the vacation rental
415 license unless:

416 1. All outstanding violations, fines or liens are satisfied and corrected; and

417 2. A bond, letter of credit, or escrowed funds in the amount of \$10,000.00 is
418 provided to the Village, in the form approved by the Village Manager. The bond shall
419 be subject to forfeiture for future violations, as set forth in this part 1 of this chapter.

420 **§ 13.5 Modification of vacation rental license.**

421 An application for modification of a vacation rental license shall be required in the
422 event that any of the following changes to the vacation rental are proposed:

423 A. A change in the gross square footage.

424 B. A change in the number of bedrooms.

425 C. A change in the maximum occupancy.

426 D. A change in the number of parking spaces, or a change in the location of parking
427 spaces.

428 E. A change in the number of bathrooms.

429 F. Any other material modifications that would increase the intensity of use.

430 **§ 13.6 Duration of vacation rental license.**

431 The vacation rental license shall expire each September 30, and may be annually
432 renewed thereafter by the owner if the vacation rental is in compliance with this part 1 of
433 this chapter.

434 **§ 13.7 Renewal of vacation rental license.**

435 An owner must apply annually for a renewal of the vacation rental license no later than
436 60 days prior to its expiration.

437 **§ 13.8 Licenses non-transferable, non-assignable.**

438 Vacation rental licenses are non-transferable and non-assignable. If the ownership
439 of any vacation rental is sold or otherwise transferred, any outstanding vacation rental
440 license as to that vacation rental shall be null and void upon the sale or transfer. **Transfers**
441 **among entities or between legal and beneficial ownership where the same natural person**
442 **remains in control before and after the transfer shall not be considered a transfer or**
443 **assignment prohibited by this section.**

444 **DIVISION 3. VACATION RENTAL REPRESENTATIVE**

445 **§ 13.9 Duties of vacation rental representative.**

446 Whenever any vacation rental is required to be registered under this part 1 of this
447 chapter, the owner shall be designated as the vacation rental representative or appoint a
448 person to serve as the vacation rental representative. The owner shall notify the village
449 manager or designee in writing of the appointment within five days of being required to
450 make such appointment, and shall thereafter notify the village manager or designee of
451 any change of the vacation rental representative within five days of such change.

452 The designation of a vacation rental representative does not relieve the owner of the
453 responsibility to comply with all state and local statutes and ordinances. Further, a
454 vacation rental representative who accepts the designation to act on behalf of a property
455 owner is held to the same standard as the property owner with respect to compliance with
456 all statutes and ordinances and may be cited for non-compliance with any code, rule or
457 ordinance applicable to the vacation rental.

458 Every vacation rental representative shall:

459 A. Be available by landline or mobile telephone answered by the vacation rental
460 representative at the listed phone number 24 hours a day, seven days a week
461 to handle any problems arising from the Vacation Rental; and

462 B. Be available with authority to address and coordinate solutions to problems with
463 the vacation rental property 24 hours a day, seven days a week and be
464 physically present at the property within one hour of notification to respond to
465 occurrences including, but not limited to, emergencies, noise complaints,
466 unpermitted events, and occupancy violations when determined by the Police
467 Department that the presence of the vacation rental representative is required;

- 468 C. Conduct an on-site inspection of the vacation rental at the end of each rental
469 period to ensure continued compliance with the requirements of this part 1 of
470 this chapter;
- 471 D. Maintain and make available to the village at any time requested a registration
472 log with all occupant(s)' contact information and permanent address; ;
- 473 E. Provide written notice to prospective occupant(s), prior to occupancy of the
474 vacation rental, of the vacation rental standards set forth herein and other
475 applicable laws, ordinances, or regulations concerning noise, public nuisance,
476 vehicle parking, solid waste collection, common area usage and occupancy
477 limits;
- 478 F. Ensure compliance with all provisions of this part 1 of this chapter and promptly
479 address and report violations of this part 1 of this chapter or of such other law or
480 regulation of which the vacation rental representative knows or should know, to
481 the Village or law enforcement, as appropriate;
- 482 G. Ensure that, at all times, all vehicles associated with the vacation rental are
483 parked within the designated parking spaces and in compliance with the
484 applicable laws, ordinances, and regulations set forth herein;
- 485 H. Ensure that all occupant(s) are aware that unauthorized occupants of any
486 structure or conveyance of the property that have been warned by the owner or
487 vacation rental representative to leave and refuse to do so commit the offense
488 of trespass of a structure or conveyance and will be charged under the State of
489 Florida and local law; and
- 490 I. Post a sign inside the vacation rental that clearly identifies the occupancy limit,
491 maximum parking, and name and phone number of the vacation rental
492 representative responsible for the property. The sign shall be posted inside of
493 the residence next to the main entrance continuously during any period that the
494 vacation rental license is active.

495 **DIVISION 4. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS**

496 **§ 13.10 General.**

497 The standards and requirements set forth in this section shall apply to the rental, use,
498 and occupancy of vacation rentals in the Village.

499 **§ 13.11 Local phone service required.**

500 At least one landline telephone with the ability to call 911 shall be available in the
501 main level common area in the vacation rental.

502 **§ 13.12 Parking standards.**

503 All parking must comply with this part 1 of this chapter, and all other applicable
504 sections of the Village's Code of Ordinances and ULDC. In addition, all vehicles
505 associated with the vacation rental, whether in the possession or control of the owner,
506 vacation rental representative, or occupant(s), shall only be parked within a driveway or

507 in a designated parking area as indicated on the vacation rental license application.
508 Occupant(s) shall not be permitted to park more than two vehicles at any one time on the
509 vacation rental property or on the street or swale.

510 **§ 13.13 Solid waste handling and containment.**

511 Solid waste containers sufficient to handle the maximum occupancy permitted shall
512 be maintained in accordance with chapter 94. All regulations regarding screening and
513 storage of solid waste containers shall apply to vacation rentals. All solid waste containers
514 shall be placed at curbside or other designated collection area only on scheduled
515 collection days, no later than 7:00 a.m., and shall be removed therefrom that same day
516 once collection has occurred.

517 Notice of the location of the solid waste storage containers and rules for collection
518 shall be posted inside the vacation rental.

519 **§ 13.14 Maximum occupancy.**

520 The maximum vacation rental occupancy shall not exceed any of the following
521 standards:

- 522 A. Two persons per bedroom. The number of bedrooms shall be based upon the
523 property appraiser's residential profile of the property, and other documents of
524 record, as needed;
525 B. The maximum occupancy shall be limited to ten occupant(s) per vacation
526 rental, the total size of the occupiable space or number of bedrooms
527 notwithstanding;
528 C. Three occupant(s) per one off-street parking space legally available to the
529 vacation rental, as required by duly approved site plan for the property or as
530 required by the Code; and
531 D. Any person present at the vacation rental after 11:00 p.m. on any night or
532 before 7:00 am on any morning shall be considered an occupant for purposes
533 of calculating maximum occupancy. Gratuitous guests of the occupant(s) do
534 not count towards occupancy if they are not present between the hours of 11:00
535 pm and 7:00 am, but shall park in the designated locations.

536 **§ 13.15 Posting of vacation rental information.**

537 Prior to the owner allowing another person to occupy the vacation rental, the owner shall
538 post the following information.

- 539 A. In each vacation rental, located next to the main entrance door there shall be posted
540 as a single page the following information:
541 1. The name, address and phone number of the vacation rental representative;
542 2. The maximum occupancy of the vacation rental;

- 543 3. A statement advising the occupant(s) that any sound which crosses a property
544 line at a volume which is unreasonably loud is unlawful within the Village; as per
545 the Village Noise Ordinance;
- 546 4. A sketch of the location of the designated parking spaces for use by occupant(s)
547 and gratuitous guests;
- 548 5. The days and times of trash pickup;
- 549 6. The location of the nearest hospital; and
- 550 7. The local non-emergency police phone number.
- 551 B. A copy of the building evacuation map, with a minimum size of 8½” by 11”, shall be
552 provided to the occupant(s) upon the start of each vacation rental.
- 553 C. A sign shall be posted inside of the vacation rental that clearly identifies the
554 occupancy limit, maximum parking, and name and phone number of the vacation
555 rental representative. The sign shall be posted next to the main entrance of the
556 vacation rental continuously during any period that the vacation rental license is
557 active.
- 558 D. The foregoing shall be made a part of each rental agreement with occupant(s).

559 **DIVISION 5. ADMINISTRATION, PENALTIES, AND ENFORCEMENT**

560 **§ 13.16 Administration of vacation rental license program.**

561 The ultimate responsibility for the administration of this part 1 of this chapter is vested
562 in the Village Manager, or designee, who is responsible for revoking, renewing, modifying,
563 and suspending vacation rental licenses for existing vacation rentals as set forth in this
564 part 1 of this chapter.

565 **§ 13.17. Appeals.**

566 Any decision of the Village Manager, or designee, relating to the revocation, renewal,
567 modification, or suspension of a vacation rental license under this part 1 of this chapter
568 shall be rendered in writing, and reviewed by the Village Commission if a notice by the
569 owner is filed with the Village Clerk within ten days after the action to be reviewed. The
570 Village Clerk shall place the matter on the agenda of an upcoming meeting of the Village
571 Commission, at which the matter will be reviewed. The decision of the Village
572 Commission shall be final. Such final decision may be reviewed as permitted under
573 Florida law.

574 **§ 13.18 Notice.**

575 Any notice required under this part 1 of this chapter shall be accomplished by sending
576 a written notification by U.S. Mail, postage paid, to the mailing address of the vacation
577 rental representative set forth on documents filed with the Village under this subchapter,
578 which shall be considered for all purposes as the correct address for service, or by
579 personal service or delivery to the vacation rental representative.

580 **§ 13.19 Penalties and enforcement.**

581 A. *By citation.* Any violation of this part 1 of this chapter 13, or any rule adopted under
582 this part 1 of this chapter, may be punished by citation, as specifically described in
583 Chapter 153, Code Enforcement of the Code of Ordinances of North Bay Village,
584 including but not limited to the requirements of a reasonable warning prior to issuance
585 of a citation; provided, however, such violation shall be subject to a fine in the amount
586 of \$250.00, for the first offense, \$500.00 for the second and subsequent offenses,
587 plus a suspension of the vacation rental license or a refusal to renew a vacation rental
588 license as provided hereinafter, following the second offense. Each day a violation
589 exists shall constitute a separate and distinct violation.

590 B. *Other enforcement methods and penalties.* Notwithstanding anything otherwise
591 provided herein, violations of this part 1 of this chapter shall also be subject to all the
592 enforcement methods and penalties that may be imposed for the violation of
593 ordinances of the Village as provided in the Village Code of Ordinances. Nothing
594 contained herein shall prevent the Village from seeking all other available remedies
595 which may include, but not be limited to, injunctive relief, abatement of public
596 nuisance, liens, fines, imprisonment, and other penalties as provided by law. For
597 properties operating without a license as specified herein, incurring multiple code
598 violations as specified herein, or constituting a public nuisance, the Village Manager
599 is authorized to initiate litigation to pursue other available remedies including, but not
600 limited to, injunctive relief, abatement of public nuisance, recovery of liens and fines,
601 and other causes of action, in court of competent jurisdiction.

602 C. *Suspension of license.*

603 1. In addition to any fines and any other remedies described herein or provided for
604 by law, the Village Manager shall suspend a vacation rental license for six (6)
605 months upon a second violation of this part 1 of this chapter in any continuous
606 12-month period, and for one year upon a third violation of this part 1 of this
607 chapter in any continuous 12-month period. Violations subsequent to the third
608 violation within the continuous 12-month period following the initial violation or
609 during the imposition of a suspension will result in the imposition of extensions
610 of the suspension by one year per subsequent violation. Such suspension shall
611 begin following notice, commencing either at the end of the current vacation
612 rental agreement period, or after 30 calendar days, whichever is less.

613 2. For violations of the Florida Building Code, or Florida Fire Prevention Code, a
614 vacation rental license shall be subject to temporary suspension starting
615 immediately three working days after citation for such violation if it is not
616 corrected, re-inspected, and found in compliance, or as otherwise provided for
617 in the Florida Building Code or Florida Fire Prevention Code respectively.

618 3. The owner shall not be entitled to any refund of any portion of the annual fee
619 paid for a license for any portion of the unexpired term of a license, because of
620 suspension of the vacation rental license.

621 D. *Revocation/Denial of license.*

- 622 1. The Village Manager shall revoke or deny a renewal or modification of a vacation
623 rental license issued under this part 1 of this chapter if the property owner has
624 willfully withheld or falsified any information required for a vacation rental license.
- 625 2. The Village Manager may in addition to, or as an alternative to, the penalties of
626 this section revoke or deny a renewal or modification of a vacation rental license
627 issued under this part 1 of this chapter upon the third adjudication of a violation
628 of this part 1 of this chapter, any Village ordinance, or state law by the vacation
629 rental representative, owner, or occupant(s) of the vacation rental. Such denial
630 or revocation is in addition to any other penalty or remedy available at law.
- 631 3. The owner shall not be entitled to any refund of the annual fee paid for a license
632 for any portion of the unexpired term of a license, because of revocation or denial
633 of the vacation rental license.
- 634 4. The licensee of a license that has been revoked loses the legal nonconforming
635 right to maintain the revoked license or any other license pursuant to part 1 of
636 this Chapter.

637 E. Forfeiture of bond.

- 638 1. Where a bond is required to renew a vacation rental license, if the vacation rental
639 is cited for a violation of this part 1 of this chapter within 12 months of providing the
640 bond, and that citation is later resolved adversely to the owner or vacation rental
641 representative, then the bond shall be deemed forfeited, and the vacation rental
642 license for that vacation rental shall be revoked and may not be reissued for 12
643 months.
- 644 2. If there are no violations for 12 months after providing the security, the Village
645 Manager or designee shall release the bond upon written request from the owner.
646 Until the owner obtains release, the bond shall continue to be subject to forfeiture
647 for future violations.

648 F. For all purposes under this part 1 of this chapter, service of notice on the vacation
649 rental representative shall be deemed service of notice on the owner and
650 occupant(s).

651 G. No occupant(s) shall occupy a vacation rental, and no advertisement for the vacation
652 rental shall occur during any period of suspension of a vacation rental's vacation
653 rental license, or following the expiration, revocation or denial of the license.

654 **DIVISION 6. VESTING**

655 **§ 13.20 Rental agreement vesting for properties with active vacation rental**
656 **licenses.**

657 It is recognized that there are likely existing rental/lease agreements for vacation rentals
658 as the time of passage of this part 1 of this chapter, or any amendment thereto, which
659 may not be in full compliance with the regulations herein. Rental agreements that were

660 entered into prior to the date of adoption must comply with the requirements in effect at
661 the time of execution of the rental agreement. No special vesting process or fee shall be
662 required to obtain this vesting benefit. Rental agreements entered into after **INSERT**
663 **EFFECTIVE DATE OF THIS ORDINANCE]** ~~the effective date of this part 1 of this chapter,~~
664 or any amendment thereto, must comply with this chapter, as it may be amended.

665 **§ 13.21 Vested rights determinations.**

666 A. *Active license holders.* The Village recognizes that certain owners have vested
667 rights to maintain or extend vacation rental licenses issued by the Village prior to
668 **INSERT EFFECTIVE DATE OF THIS ORDINANCE]**. The Village finds that the
669 holders of active vacation rental licenses on a list to be maintained by the Village
670 Clerk's office shall continue to have the ability to utilize the property that is the
671 subject of the license as a vacation rental in accordance with the regulations of this
672 part 1 of this chapter until there is a transfer in ownership of the property as defined
673 herein.

674 B. *Others.* ~~Between January 20, 2023 and April 19, 2023~~ Within 90 days of **INSERT**
675 **EFFECTIVE DATE OF THIS ORDINANCE]** ~~the effective date of this part 1 of this~~
676 ~~chapter,~~ any property owner claiming vested rights to vacation rental use who are
677 not active vacation rental license holders may apply for a vested rights
678 determination on a form determined by the Village, accompanied by an application
679 fee to be established by resolution of the Village Commission, demonstrating their
680 entitlement to vesting under Florida law. The Village Manager may request
681 additional information as may be appropriate for the evaluation of the application.
682 The Village Manager shall review the application and any supporting documents
683 and shall consult with other staff and the Village Attorney's Office, following which
684 the Village Manager shall either grant the application for vested rights, or respond
685 to the property owner in writing providing the reason(s) for denial. The decision
686 shall be mailed by U.S. Mail to the address indicated on the application, return
687 receipt requested.

688 C. *Appeal of vested rights determination.* If the property owner disagrees with the
689 determination of the Village Manager, he or she may file a written appeal of the
690 decision to **be heard by a hearing officer appointed for this purpose by** the Village
691 Commission within 30 days of the decision, specifying the bases for the claimed
692 vested rights, on a form determined by the Village, accompanied by the payment
693 of an appeal application fee to be established by resolution of the Village
694 Commission. The ~~Village Commission~~ **hearing officer** may grant the appeal only
695 for an abuse of discretion.

696 D. *Effect of vested rights determination.* If vested rights to vacation rental use are
697 found to exist, by the Village Manager or the Village Commission on appeal, the
698 subject property shall be eligible to apply for issuance, extension, restoration, or
699 modification of a vacation rental license, which may be granted upon compliance
700 with all requirements of this part 1 of this chapter. Upon issuance, extension,
701 restoration or modification of the license, the holder of the active vacation rental
702 license will be added to the list of properties maintained by the Village Clerk, and
703 shall have the ability to utilize the property as a vacation rental in accordance with

704 the regulations of this part 1 of this chapter until there is a transfer in ownership of
705 the property.

706 **§ 13.22 – 13.50. Reserved.**

707

708 **PART 2.**

709 **VACATION RENTAL LICENSES IN NON-RESIDENTIAL ZONING DISTRICTS**

710 **DIVISION 1. GENERAL PROVISIONS**

711 **§ 13.51 Legislative Intent.** This part 2 of this chapter is intended to provide regulations
712 for the issuance and maintenance and the potential enforcement, suspension or
713 revocation of vacation rental licenses in the non-residential zoning districts of the Village.

714 **§ 13.52 Definitions.**

715 For the purpose of this part 2 of this chapter, the following definitions shall apply
716 unless the context clearly indicates or requires a different meaning.

717 *Agent.* A person or entity retained by an owner to carry out the duties and functions
718 of an owner. All references to “owner” in this part 2 of this chapter shall be construed to
719 include a designated agent. The owner must notify the Village in writing, on a form
720 provided by the Village, of the identity and contact information of such agent, the vacation
721 rental for which the agent is designated, and the specific duties that the agent will be
722 performing for the owner. The owner may change the designation of agent at any time
723 through the filing of a new form and the payment of an administrative fee in an amount
724 as set by resolution by the Village Commission. The owner shall be held responsible for
725 all actions of such designated agent with respect to the applicable vacation rental.

726 *Bedroom.* A room or enclosed floor space used or intended to be used for living or
727 sleeping purposes, excluding kitchens, bathrooms, shower rooms, water closet
728 compartments, laundries, pantries, foyers, connecting corridors, closets and storage
729 space.

730 *License.* A vacation rental license issued by the Village pursuant to this part 2 of this
731 chapter.

732 *Occupant.* Any person who occupies, either during the day or overnight, a vacation
733 rental.

734 *Owner* is the fee simple owner of the vacation rental, whether an individual,
735 partnership, corporation, limited liability company, trust, or other entity. In the event the
736 owner is not an individual, each and every person who owns 10 percent or more of the
737 equitable interest in the vacation rental shall also be deemed an owner. Includes an agent
738 designated by the owner to perform the duties and functions of the owner.

739 *Transient public lodging establishment.* Any unit, group of units, dwelling, building or
740 group of buildings within a single complex of buildings which is rented to guests more
741 than three times in a calendar year for periods of less than 30 days or one calendar month,

742 whichever is less, or which is advertised or held out to the public as a place regularly
743 rented to guests.

744 *Vacation rental.* Any individually or collectively owned single- or multi-family house
745 or dwelling unit that is also a transient public lodging establishment, and is located in a
746 non-residential zoning district. Includes the yards, driveways, and curtilage of any
747 detached dwelling unit.

748 *Vacation rental representative.* The owner or the person designated by the owner of
749 the vacation rental to be called upon to answer and be responsible for the maintenance
750 of the vacation rental and the conduct and acts of occupant(s) of vacation rental
751 properties.

752 *Village.* North Bay Village, Florida, as geographically described in its Charter.

753 **DIVISION 2. VACATION RENTAL LICENSE**

754 **§ 13.53. Active license required.**

755 A. All vacation rentals must hold an active vacation rental license issued by North Bay
756 Village to operate within the Village. A separate vacation rental license shall be
757 required for each vacation rental. The operation of a vacation rental without license
758 shall be a violation of this part 2 of this chapter. Every day of such operation
759 without license shall constitute a separate violation.

760 B. Advertisements pertaining to a vacation rental shall be consistent with the
761 requirements, restrictions and regulations for vacation rentals and shall contain, at
762 a minimum, the occupancy limit and maximum parking available for the vacation
763 rental. Any advertisement inconsistent with the requirements, restrictions,
764 regulations of the vacation rental license program shall be deemed prima facie
765 evidence in any enforcement action that a vacation rental is being operated in
766 violation of this part 2 of this chapter.

767 **§ 13.54 Application for issuance, renewal or modification of a vacation rental**
768 **license.**

769 A. An owner seeking initial issuance of a vacation rental license, or renewal or
770 modification of a vacation rental license shall submit to the Village a completed
771 vacation rental license application in a form promulgated by the Village, together with
772 an application fee in an amount set by resolution of the Village Commission.

773 B. A complete application for the initial issuance, or the renewal or modification of a
774 vacation rental license shall demonstrate compliance with the standards and
775 requirements set forth in this chapter through the following submittals:

776 1. A completed vacation rental license application form, which must identify:

777 iv. the name, address and phone number of the owner, and **sworn** evidence
778 to demonstrate that this fully discloses all owners of the vacation rental
779 as defined herein;

780 v. the address and legal description of the vacation rental; and

- 781 vi. the name, address, and phone number of the vacation rental
782 representative.
- 783 2. Payment of applicable fees.
- 784 3. A copy of the vacation rental's current and active license as a Transient Public
785 Lodging Establishment with the Florida Department of Business and
786 Professional Regulation.
- 787 4. A copy of the vacation rental's current and active certificate of registration with
788 the Florida Department of Revenue for the purposes of collecting and remitting
789 sales surtaxes, transient rental taxes, and any other taxes required by law to be
790 remitted to the Florida Department of Revenue.
- 791 5. Evidence of the vacation rental's current and active account with the Miami-Dade
792 County Tax Collector for the purposes of collecting and remitting tourist and
793 convention development taxes and any other taxes required by law to be
794 remitted to the Miami-Dade County Tax Collector.
- 795 6. A copy of the current Local Business Tax Receipt.
- 796 7. Interior building sketch by floor. A building sketch (may be hand drawn) by floor
797 shall be provided, showing a floor layout and demonstrating compliance with the
798 standards and requirements set forth in this part 2 of this chapter. The sketch
799 provided shall be drawn to scale, and shall show and identify all bedrooms, other
800 rooms, exits, hallways, stairways, smoke and carbon monoxide detectors,
801 swimming pools, fire extinguishers and exit signage/lighting.
- 802 An exterior site sketch (which may be hand drawn) showing and identifying all
803 structures, pools, spas, hot tubs, fencing, and uses, including the number and
804 the location of all on-site and off-site parking spaces for the vacation rental,
805 including identifying those parking spaces available for use by occupant(s).
- 806 9. Acknowledgement that each bedroom shall be equipped with an approved listed
807 single-station smoke detector meeting the minimum requirements of the NFPA.
- 808 10. A section indicating the maximum occupancy of the vacation rental in
809 accordance with Section 13.64.
- 810 11. A copy of the generic form vacation rental agreement to be used when
811 contracting with occupant(s).
- 812 15. Statement as to whether the entire property, or just a part thereof (i.e., a room or
813 rooms), will be used as a vacation rental.
- 814 16. Statement indicating how many times, and for how many days, the property was
815 used as a vacation rental within the previous calendar year.
- 816 17. Notarized statement that the vacation rental representative has the permission
817 of the owner and authority to offer the property as a vacation rental and act as
818 the vacation rental representative in accordance with the duties prescribed in
819 Section 13.59.

- 820 C. Incomplete applications will not be accepted, but will be returned with any fees
821 submitted to the owner with a notation of what items are missing.
- 822 D. Vacation rental license applications shall be sworn to under penalty of perjury. Any
823 false statements in an application shall be a basis for the revocation of any license
824 issued pursuant to such application.
- 825 E. All vacation rental license applications that are not signed by the owner must be
826 accompanied by a signed and notarized letter providing the consent of the owner for
827 the application, with acknowledgement that the Village may impose cite and fine the
828 property for violations of this part 2 of this chapter, as well as pursue all other
829 available remedies which may include injunction relief, abatement of public nuisance,
830 liens, imprisonment and other penalties as provided by law.
- 831 F. *Enforcement history.* When reviewing an application to renew a vacation rental
832 license, the village manager or designee shall consider the violation history of the
833 vacation rental identified in the application. If the violation history shows three or more
834 violations of this part 2 of this chapter within the preceding 12 months from the
835 application date, the village manager or designee shall not renew the vacation rental
836 license unless:
- 837 1. All outstanding violations, fines or liens are satisfied and corrected; and
- 838 2. A bond, letter of credit, or escrowed funds in the amount of \$10,000.00 is
839 provided to the Village, in the form approved by the Village Manager. The bond shall
840 be subject to forfeiture for future violations, as set forth in this part 2 of this chapter.

841 **§ 13.55 Modification of vacation rental license.**

- 842 An application for modification of a vacation rental license shall be required in the
843 event that any of the following changes to the vacation rental are proposed:
- 844 A. A change in the gross square footage.
- 845 B. A change in the number of bedrooms.
- 846 C. A change in the maximum occupancy.
- 847 D. A change in the number of parking spaces, or a change in the location of parking
848 spaces.
- 849 E. A change in the number of bathrooms.
- 850 F. Any other material modifications that would increase the intensity of use.

851 **§ 13.56 Duration of vacation rental license.**

- 852 The vacation rental license shall expire each September 30, and may be annually
853 renewed thereafter by the owner if the vacation rental is in compliance with this part 2 of
854 this chapter.

855 **§ 13.57 Renewal of vacation rental license.**

856 An owner must apply annually for a renewal of the vacation rental license no later than
857 60 days prior to its expiration.

858 **§ 13.58 Licenses non-transferable, non-assignable.**

859 Vacation rental licenses are non-transferable and non-assignable. If the ownership
860 of any vacation rental is sold or otherwise transferred, any outstanding vacation rental
861 license as to that vacation rental shall be null and void upon the sale or transfer. **Transfers**
862 **among entities or between legal and beneficial ownership where the same natural person**
863 **remains in control before and after the transfer shall not be considered a transfer or**
864 **assignment prohibited by this section.**

865 **DIVISION 3. VACATION RENTAL REPRESENTATIVE**

866 **§ 13.59 Duties of vacation rental representative.**

867 Whenever any vacation rental is required to be registered under this part 2 of this
868 chapter, the owner shall be designated as the vacation rental representative or appoint a
869 person to serve as the vacation rental representative. The owner shall notify the village
870 manager or designee in writing of the appointment within five days of being required to
871 make such appointment, and shall thereafter notify the village manager or designee of
872 any change of the vacation rental representative within five days of such change.

873 The designation of a vacation rental representative does not relieve the owner of the
874 responsibility to comply with all state and local statutes and ordinances. Further, a
875 vacation rental representative who accepts the designation to act on behalf of a property
876 owner is held to the same standard as the property owner with respect to compliance with
877 all statutes and ordinances and may be cited for non-compliance with any code, rule or
878 ordinance applicable to the vacation rental.

879 Every vacation rental representative shall:

880 A. Be available by landline or mobile telephone answered by the vacation rental
881 representative at the listed phone number 24 hours a day, seven days a week
882 to handle any problems arising from the Vacation Rental; and

883 B. Be available with authority to address and coordinate solutions to problems with
884 the vacation rental property 24 hours a day, seven days a week and be
885 physically present at the property within one hour of notification to respond to
886 occurrences including, but not limited to, emergencies, noise complaints,
887 unpermitted events, and occupancy violations when determined by the Police
888 Department that the presence of the vacation rental representative is required;

889 C. Conduct an on-site inspection of the vacation rental at the end of each rental
890 period to ensure continued compliance with the requirements of this part 2 of
891 this chapter;

892 D. Maintain and make available to the village at any time requested a registration
893 log with all occupant(s)' contact information and permanent address. ;

- 894 E. Provide written notice to prospective occupant(s), prior to occupancy of the
895 vacation rental, of the vacation rental standards set forth herein and other
896 applicable laws, ordinances, or regulations concerning noise, public nuisance,
897 vehicle parking, solid waste collection, common area usage and occupancy
898 limits;
- 899 F. Ensure compliance with all provisions of this part 2 of this chapter and promptly
900 address and report violations of this part 2 of this chapter or of such other law or
901 regulation of which the vacation rental representative knows or should know, to
902 the Village or law enforcement, as appropriate;
- 903 G. Ensure that, at all times, all vehicles associated with the vacation rental are
904 parked within the designated parking spaces and in compliance with the
905 applicable laws, ordinances, and regulations set forth herein;
- 906 H. Ensure that all occupant(s) are aware that unauthorized occupants of any
907 structure or conveyance of the property that have been warned by the owner or
908 vacation rental representative to leave and refuse to do so commit the offense
909 of trespass of a structure or conveyance and will be charged under the State of
910 Florida and local law; and
- 911 I. Post a sign inside the vacation rental that clearly identifies the occupancy limit,
912 maximum parking, and name and phone number of the vacation rental
913 representative responsible for the property. The sign shall be posted inside of
914 the residence next to the main entrance continuously during any period that the
915 vacation rental license is active.

916 **DIVISION 4. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS**

917 **§ 13.60 General.**

918 The standards and requirements set forth in this section shall apply to the rental, use,
919 and occupancy of vacation rentals in the non-residential zoning districts of the Village.

920 **§ 13.61 Local phone service required.**

921 At least one landline telephone with the ability to call 911 shall be available in the
922 main level common area in the vacation rental.

923 **§ 13.62 Parking standards.**

924 All parking must comply with this part 2 of this chapter, and all other applicable
925 sections of the Village's Code of Ordinances and ULDC. In addition, all vehicles
926 associated with the vacation rental, whether in the possession or control of the owner,
927 vacation rental representative, or occupant(s), shall only be parked within a driveway or
928 in a designated parking area as indicated on the vacation rental license application.
929 Occupant(s) shall not be permitted to park more than two vehicles at any one time on the
930 vacation rental property or on the street or swale.

931 **§ 13.63 Solid waste handling and containment.**

932 Solid waste containers sufficient to handle the maximum occupancy permitted shall
933 be maintained in accordance with chapter 94. All regulations regarding screening and
934 storage of solid waste containers shall apply to vacation rentals. All solid waste containers
935 shall be placed at curbside or other designated collection area only on scheduled
936 collection days, no later than 7:00 a.m., and shall be removed therefrom that same day
937 once collection has occurred.

938 Notice of the location of the solid waste storage containers and rules for collection
939 shall be posted inside the vacation rental.

940 **§ 13.64 Maximum occupancy.**

941 The maximum vacation rental occupancy shall not exceed any of the following
942 standards:

943 A. Two persons per bedroom. The number of bedrooms shall be based upon the
944 property appraiser's residential profile of the property, and other documents of
945 record, as needed;

946 B. The maximum occupancy shall be limited to ten occupant(s) per vacation
947 rental, the total size of the occupiable space or number of bedrooms
948 notwithstanding;

949 C. Three occupant(s) per one off-street parking space legally available to the
950 vacation rental, as required by duly approved site plan for the property or as
951 required by the Code; and

952 D. Any person present at the vacation rental after 11:00 p.m. on any night or
953 before 7:00 am on any morning shall be considered an occupant for purposes
954 of calculating maximum occupancy. Gratuitous guests of the occupant(s) do
955 not count towards occupancy if they are not present between the hours of 11:00
956 pm and 7:00 am, but shall park in the designated locations.

957 **§ 13.65 Posting of vacation rental information.**

958 Prior to the owner allowing another person to occupy the vacation rental, the owner shall
959 post the following information.

960 A. In each vacation rental, located next to the main entrance door there shall be posted
961 as a single page the following information:

962 1. The name, address and phone number of the vacation rental representative;

963 2. The maximum occupancy of the vacation rental;

964 3. A statement advising the occupant(s) that any sound which crosses a property
965 line at a volume which is unreasonably loud is unlawful within the Village; as per
966 the Village Noise Ordinance;

967 4. A sketch of the location of the designated parking spaces for use by occupant(s)
968 and gratuitous guests;

969 5. The days and times of trash pickup;

- 970 6. The location of the nearest hospital; and
971 7. The local non-emergency police phone number.
972 B. A copy of the building evacuation map, with a minimum size of 8½” by 11”, shall be
973 provided to the occupant(s) upon the start of each vacation rental.
974 C. A sign shall be posted inside of the vacation rental that clearly identifies the
975 occupancy limit, maximum parking, and name and phone number of the vacation
976 rental representative. The sign shall be posted next to the main entrance of the
977 vacation rental continuously during any period that the vacation rental license is
978 active.
979 D. The foregoing shall be made a part of each rental agreement with occupant(s).

980 **DIVISION 5. ADMINISTRATION, PENALTIES, AND ENFORCEMENT**

981 **§ 13.66 Administration of vacation rental license program.**

982 The ultimate responsibility for the administration of this part 2 of this chapter is vested
983 in the Village Manager, or designee, who is responsible for issuing, revoking, renewing,
984 modifying, and suspending vacation rental licenses for vacation rentals as set forth in this
985 part 2.

986 **§ 13.67. Appeals.**

987 Any decision of the Village Manager, or designee, relating to the revocation, renewal,
988 modification, or suspension of a vacation rental license under this part 2 of this chapter
989 shall be rendered in writing, and reviewed by the Village Commission if a notice by the
990 owner is filed with the Village Clerk within ten days after the action to be reviewed. The
991 Village Clerk shall place the matter on the agenda of an upcoming meeting of the Village
992 Commission, at which the matter will be reviewed. The decision of the Village
993 Commission shall be final. Such final decision may be reviewed as permitted under
994 Florida law.

995 **§ 13.68 Notice.**

996 Any notice required under this part 2 of this chapter shall be accomplished by sending
997 a written notification by U.S. Mail, postage paid, to the mailing address of the vacation
998 rental representative set forth on documents filed with the Village under this subchapter,
999 which shall be considered for all purposes as the correct address for service, or by
1000 personal service or delivery to the vacation rental representative.

1001 **§ 13.69 Penalties and enforcement.**

1002 A. *By citation.* Any violation of this part 2 of this chapter 13, or any rule adopted under
1003 this part 2 of this chapter, may be punished by citation, as specifically described in
1004 Chapter 153, Code Enforcement of the Code of Ordinances of North Bay Village,
1005 including but not limited to the requirements of a reasonable warning prior to issuance
1006 of a citation; provided, however, such violation shall be subject to a fine in the amount
1007 of \$250.00, for the first offense, \$500.00 for the second and subsequent offenses.

1008 plus a suspension of the vacation rental license or a refusal to renew a vacation rental
1009 license as provided hereinafter, following the second offense. Each day a violation
1010 exists shall constitute a separate and distinct violation.

1011 B. *Other enforcement methods and penalties.* Notwithstanding anything otherwise
1012 provided herein, violations of this part 2 of this chapter shall also be subject to all the
1013 enforcement methods and penalties that may be imposed for the violation of
1014 ordinances of the Village as provided in the Village Code of Ordinances. Nothing
1015 contained herein shall prevent the Village from seeking all other available remedies
1016 which may include, but not be limited to, injunctive relief, abatement of public
1017 nuisance, liens, fines, imprisonment, and other penalties as provided by law. For
1018 properties operating without a license as specified herein, incurring multiple code
1019 violations as specified herein, or constituting a public nuisance, the Village Manager
1020 is authorized to initiate litigation to pursue other available remedies including, but not
1021 limited to, injunctive relief, abatement of public nuisance, recovery of liens and fines,
1022 and other causes of action, in court of competent jurisdiction.

1023 C. *Suspension of license.*

1024 1. In addition to any fines and any other remedies described herein or provided for
1025 by law, the Village Manager shall suspend a vacation rental license for six (6)
1026 months upon a second violation of this part 2 of this chapter in any continuous
1027 12-month period, and for one year upon a third violation of this chapter in any
1028 continuous 12-month period. Violations subsequent to the third violation within
1029 the continuous 12-month period following the initial violation or during the
1030 imposition of a suspension will result in the imposition of extensions of the
1031 suspension by one year per subsequent violation. Such suspension shall begin
1032 following notice, commencing either at the end of the current vacation rental
1033 agreement period, or after 30 calendar days, whichever is less.

1034 2. For violations of the Florida Building Code, or Florida Fire Prevention Code, a
1035 vacation rental license shall be subject to temporary suspension starting
1036 immediately three working days after citation for such violation if it is not
1037 corrected, re-inspected, and found in compliance, or as otherwise provided for
1038 in the Florida Building Code or Florida Fire Prevention Code respectively.

1039 3. The owner shall not be entitled to any refund of any portion of the annual fee
1040 paid for a license for any portion of the unexpired term of a license, because of
1041 suspension of the vacation rental license.

1042 D. *Revocation/Denial of license.*

1043 1. The Village Manager shall revoke or deny a renewal or modification of a vacation
1044 rental license issued under this part 2 of this chapter if the property owner has
1045 willfully withheld or falsified any information required for a vacation rental license.

1046 2. The Village Manager may in addition to, or as an alternative to, the penalties of
1047 this section revoke or deny a renewal or modification of a vacation rental license
1048 issued under this part 2 of this chapter upon the third adjudication of a violation
1049 of this part 2 of this chapter, any Village ordinance, or state law by the vacation

1050 rental representative, owner, or occupant(s) of the vacation rental. Such denial
1051 or revocation is in addition to any other penalty or remedy available at law.

1052 3. The owner shall not be entitled to any refund of the annual fee paid for a license
1053 for any portion of the unexpired term of a license, because of revocation or denial
1054 of the vacation rental license.

1055 4. The licensee of a license that has been revoked loses the legal nonconforming
1056 right to maintain the revoked license or any other license pursuant to part 1 of
1057 this Chapter.

1058 E. Forfeiture of bond.

1059 1. Where a bond is required to renew a vacation rental license, if the vacation rental
1060 is cited for a violation of this part 2 of this chapter within 12 months of providing the
1061 bond, and that citation is later resolved adversely to the owner or vacation rental
1062 representative, then the bond shall be deemed forfeited, and the vacation rental
1063 license for that vacation rental shall be revoked and may not be reissued for 12
1064 months.

1065 2. If there are no violations for 12 months after providing the security, the Village
1066 Manager or designee shall release the bond upon written request from the owner.
1067 Until the owner obtains release, the bond shall continue to be subject to forfeiture
1068 for future violations.

1069 F. For all purposes under this part 2 of this chapter, service of notice on the vacation
1070 rental representative shall be deemed service of notice on the owner and
1071 occupant(s).

1072 G. No occupant(s) shall occupy a vacation rental, and no advertisement for the vacation
1073 rental shall occur during any period of suspension of a vacation rental's vacation
1074 rental license, or following the expiration, revocation or denial of the license.

1075 **DIVISION 6. VESTING**

1076 **§ 13.70 Rental agreement vesting for properties with active vacation rental**
1077 **licenses.**

1078 It is recognized that there are likely existing rental/lease agreements for vacation rentals
1079 as the time of passage of this part 2 of this chapter, or any amendment thereto, which
1080 may not be in full compliance with the regulations herein. Rental agreements that were
1081 entered into prior to the date of adoption must comply with the requirements in effect at
1082 the time of execution of the rental agreement. No special vesting process or fee shall be
1083 required to obtain this vesting benefit. Rental agreements entered into after **INSERT**
1084 **EFFECTIVE DATE OF THIS ORDINANCE** ~~the effective date of this part 2 of this chapter,~~
1085 or any amendment thereto, must comply with this part 2 of this chapter, as it may be
1086 amended.

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Section 4. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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Section 5. Codification. That it is the intention of the Village Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village’s Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

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Section 6. Conflicts. That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

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Section 7. Effective Date. That this Ordinance shall become effective immediately upon final adoption on second reading.

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PASSED on first reading on the 20th day of June, 2022.

1106

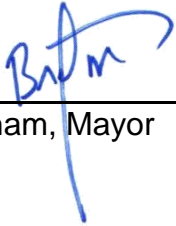
PASSED AND ADOPTED on second reading on the 19th day of July, 2022.

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Brent Latham, Mayor

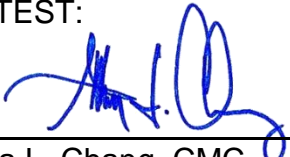
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ATTEST:

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Alba L. Chang, CMC
Village Clerk

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Weiss Serota Helfman Cole & Bierman, P.L.
Village Attorney

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1124



1125 First Reading:
1126 Moved By: Commissioner Rachel Streitfeld
1127 Seconded By: Mayor Brent Latham

1128
1129 Second Reading:
1130 Moved By: Commissioner Rachel Streitfeld
1131 Seconded By: Vice Mayor Marvin Wilmoth

1132
1133 Vote on Final Adoption:
1134 Mayor Brent Latham Yes
1135 Vice Mayor Marvin Wilmoth Yes
1136 Commissioner Richard Chervony Yes
1137 Commissioner Rachel Streitfeld Yes
1138 Commissioner Julianna Strout Yes

1139 **EXHIBIT A**

1140 **Chapter 13**

1141 **VACATION RENTAL LICENSE PROGRAM**

1142 **DIVISION 1. GENERAL PROVISIONS**

1143 **§ 13.1 Purpose.**

1144 ~~The purpose of this chapter is to promote public health, safety, welfare and~~
1145 ~~convenience through regulations and standards for short-term vacation rental properties~~
1146 ~~by providing:~~

1147 ~~A. For a vacation rental license;~~

1148 ~~B. For safety and operational requirements;~~

1149 ~~C. For parking standards;~~

1150 ~~D. For solid waste handling and containment;~~

1151 ~~E. For licensure requiring posting of vacation rental information; and~~

1152 ~~F. For administration, penalties and enforcement.~~

1153 **§ 13.2 Definitions.**

1154 ~~For the purpose of this chapter, the following definitions shall apply unless the context~~
1155 ~~clearly indicates or requires a different meaning.~~

1156 ~~*Village.* North Bay Village, Florida, as geographically described in its Charter.~~

1157 ~~*Habitable room.* A room or enclosed floor space used or intended to be used for living~~
1158 ~~or sleeping purposes, excluding kitchens, bathrooms, shower rooms, water closet~~
1159 ~~compartments, laundries, pantries, foyers, connecting corridors, closets and storage~~
1160 ~~space.~~

1161 ~~*Occupant.* Any person who occupies, either during the day or overnight, a vacation~~
1162 ~~rental.~~

1163 ~~*Transient public lodging establishment.* Any unit, group of units, dwelling, building or~~
1164 ~~group of buildings within a single complex of buildings which is rented to guests more~~
1165 ~~than three times in a calendar year for periods of less than 30 days or one calendar month,~~
1166 ~~whichever is less, or which is advertised or held out to the public as a place regularly~~
1167 ~~rented to guests.~~

1168 ~~*Vacation rental.* Any individually or collectively owned single- or multi-family house~~
1169 ~~or dwelling unit that is also a transient public lodging establishment, and is located in an~~
1170 ~~area zoned RS-1, RS-2, RM-40, or RM-70.~~

1171 ~~*Vacation rental representative.* A vacation rental property owner, or his/her~~
1172 ~~authorized designee, as identified in the application for a Village vacation rental license.~~

1173 ~~DIVISION 2. VACATION RENTAL LICENSE REQUIRED~~

1174 ~~§ 13.3. License required.~~

1175 ~~A. After July 1, 2016, an active vacation rental license shall be required to operate a~~
1176 ~~vacation rental within the Village, except that vacation rental's in Village areas zoned~~
1177 ~~RM-40 and RM-70 require a Vacation license only after January 9, 2017. After July~~
1178 ~~1, 2016, only vacation rentals in Village areas zoned RS-1 and RS-2 must holding~~
1179 ~~an active vacation rental license issued by North Bay Village to operate within the~~
1180 ~~Village; and after January 9, 2017 all vacation rentals must hold an active vacation~~
1181 ~~rental license issued by North Bay Village to operate within the Village. A separate~~
1182 ~~vacation rental license shall be required for each vacation rental, as defined in~~
1183 ~~Section 13.2.~~

1184 ~~B. The advertising or advertisement for the rental of an unlicensed single-family or multi-~~
1185 ~~family house or dwelling unit, or of a residential condominium, apartment, or building~~
1186 ~~dwelling unit located in a residential building or community that has not adopted rules~~
1187 ~~regulating the use of transient public lodging establishments, for periods of time less~~
1188 ~~than 30 days or one calendar month is direct evidence of offering a property for rent~~
1189 ~~as a vacation rental in violation of subsection 13.3.A and the advertising or~~
1190 ~~advertisement is admissible in any enforcement proceeding. The advertising or~~
1191 ~~advertisement evidence raises rebuttable presumption that the residential property~~
1192 ~~named in the notice of violation or any other report or as identified in the advertising~~
1193 ~~or advertisement was used in violation of subsection 13.3.A.~~

1194 ~~§ 13.4 Application for vacation rental license.~~

1195 ~~A. A property owner seeking initial issuance of a vacation rental license, or the renewal,~~
1196 ~~or modification of a vacation rental license, shall submit to the Village a completed~~
1197 ~~vacation rental license application in a form promulgated by the Village, together with~~
1198 ~~an application fee in an amount set by resolution of the Village Commission.~~

1199 ~~B. A complete application for the initial issuance, or renewal, or modification, of a~~
1200 ~~vacation rental license shall demonstrate compliance with the standards and~~
1201 ~~requirements set forth in this subchapter through the following submittals:~~

1202 ~~1. A completed vacation rental license application form, which must identify; the~~
1203 ~~property owner, address of the vacation rental, vacation rental representative,~~
1204 ~~and as well as the phone number of the vacation rental representative.~~

1205 ~~2. Payment of applicable fees.~~

1206 ~~3. A copy of the vacation rental's current and active license as a Transient Public~~
1207 ~~Lodging Establishment with the Florida Department of Business and~~
1208 ~~Professional Regulation.~~

1209 ~~4. A copy of the vacation rental's current and active certificate of registration with~~
1210 ~~the Florida Department of Revenue for the purposes of collecting and remitting~~
1211 ~~sales surtaxes, transient rental taxes, and any other taxes required by law to be~~
1212 ~~remitted to the Florida Department of Revenue.~~

1213 5. ~~Evidence of the vacation rental's current and active account with the Miami-Dade~~
1214 ~~County Tax Collector for the purposes of collecting and remitting tourist and~~
1215 ~~convention development taxes and any other taxes required by law to be~~
1216 ~~remitted to the Miami-Dade County Tax Collector.~~

1217 6. ~~A copy of the current Local Business Tax Receipt.~~

1218 7. ~~Interior building sketch by floor. A building sketch (may be hand drawn) by floor~~
1219 ~~shall be provided, showing a floor layout and demonstrating compliance with the~~
1220 ~~standards and requirements set forth in this subchapter. The sketch provided~~
1221 ~~shall be drawn to scale, and shall show and identify all bedrooms, other rooms,~~
1222 ~~exits, hallways, stairways, smoke and carbon monoxide detectors, swimming~~
1223 ~~pools, fire extinguishers and exit signage/lighting.~~

1224 8. ~~A sketch showing the number and the location of all on-site parking spaces for~~
1225 ~~the vacation rental.~~

1226 9. ~~Acknowledgement that each guest room shall be equipped with an approved~~
1227 ~~listed single-station smoke detector meeting the minimum requirements of the~~
1228 ~~NFPA.~~

1229 10. ~~A section indicating whether the vacation rental will have ten or fewer occupants~~
1230 ~~or more than ten occupants.~~

1231 11. ~~A copy of the generic form vacation rental/lease agreement to be used when~~
1232 ~~contracting with transient occupants and guests.~~

1233 C. ~~Incomplete applications will not be accepted, but will be returned with any fees~~
1234 ~~submitted to the property owner with a notation of what items are missing.~~

1235 D. ~~Vacation rental license applications shall be sworn to under penalty of perjury. Any~~
1236 ~~false statements in an application shall be a basis for the revocation of any license~~
1237 ~~issued pursuant to such application.~~

1238 E. ~~All vacation rental license applications that are not signed by the property owner must~~
1239 ~~be accompanied by a signed and notarized letter providing the consent of the~~
1240 ~~property owner for the application, with acknowledgement that the Village may~~
1241 ~~impose cite and fine the property for violations of this chapter, as well as pursue all~~
1242 ~~other available remedies which may include injunction relief, abatement of public~~
1243 ~~nuisance, liens, imprisonment and other penalties as provided by law.~~

1244 **~~§ 13.5 Modification of vacation rental license.~~**

1245 ~~An application for modification of a vacation rental license shall be required in the~~
1246 ~~event that any of the following changes to the vacation rental are proposed:~~

1247 A. ~~An increase in the gross square footage.~~

1248 B. ~~An increase in the number of bedrooms.~~

1249 C. ~~An increase in the maximum occupancy.~~

1250 D. ~~An increase in the number of parking spaces, or a change in the location of~~
1251 ~~parking spaces.~~

1252 E.—An increase in the number of bathrooms.

1253 F.—Any other material modifications that would increase the intensity of use.

1254 **~~§ 13.6 Duration of vacation rental license.~~**

1255 ~~The vacation rental license shall expire each September 30, and may be annually~~
1256 ~~renewed thereafter if the property is in compliance with this chapter. Vacation rental~~
1257 ~~licenses acquired before September 30, 2016 will be valid until September 30, 2017.~~

1258 **~~§ 13.7 Renewal of vacation rental license.~~**

1259 ~~A property owner must apply annually for a renewal of the vacation rental license no~~
1260 ~~later than 60 days prior to its expiration.~~

1261 **~~§ 13.8 Licenses non-transferable, non-assignable.~~**

1262 ~~Vacation rental licenses are non-transferable and non-assignable. If the ownership~~
1263 ~~of any vacation rental is sold or otherwise transferred, any outstanding vacation rental~~
1264 ~~license as to that vacation rental shall be null and void upon the sale or transfer.~~

1265 ~~DIVISION 3. VACATION RENTAL REPRESENTATIVE~~

1266 **~~§ 13.9 Duties of vacation rental representative.~~**

1267 ~~Every vacation rental representative shall:~~

1268 ~~A.—Be available by landline or mobile telephone answered by the vacation rental~~
1269 ~~representative at the listed phone number 24-hours a day, seven days a week~~
1270 ~~to handle any problems arising from the Vacation Rental; and~~

1271 ~~B.—Be willing and able to be physically present at the vacation rental within 60~~
1272 ~~minutes following notification from a vacation rental occupant, law enforcement~~
1273 ~~officer, emergency personnel, or the Village for issues related to the vacation~~
1274 ~~rental, and shall actually be physically present at that location in that time frame~~
1275 ~~when requested;~~

1276 ~~C.—Conduct an on-site inspection of the vacation rental at the end of each rental~~
1277 ~~period to assure continued compliance with the requirements of this subchapter;~~
1278 ~~and~~

1279 ~~D.—Make available to the village at any time requested a registration log with all~~
1280 ~~lease's contact information and permanent address.~~

1281 ~~DIVISION 4. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS~~

1282 **~~§ 13.10 General.~~**

1283 ~~The standards and requirements set forth in this section shall apply to the rental, use,~~
1284 ~~and occupancy of vacation rentals in the Village.~~

1285 **~~§ 13.11 Local phone service required.~~**

1286 ~~Local phone service. At least one landline telephone with the ability to call 911 shall~~
1287 ~~be available in the main level common area in the vacation rental.~~

1288 **~~§ 13.12 Parking standards.~~**

1289 ~~Occupants and visitors to the vacation rental shall comply with all relevant parking~~
1290 ~~codes as found in the Village Code of Ordinances.~~

1291 **~~§ 13.13 Solid waste handling and containment.~~**

1292 ~~Notice of the location of the trash storage containers and rules for collection shall be~~
1293 ~~posted inside the vacation rental.~~

1294 **~~§ 13.14 Maximum occupancy.~~**

1295 ~~Requirements for space shall be as follows:~~

1296 ~~A. Each vacation rental shall have a minimum gross floor area of not less than 150~~
1297 ~~square feet for the first occupant and not less than 100 square feet for each~~
1298 ~~additional occupant.~~

1299 ~~B. Every room in a vacation rental occupied for sleeping purposes shall:~~

1300 ~~1. Have a gross floor area of not less than 70 square feet; and when occupied by~~
1301 ~~more than one occupant, it shall have a gross floor area of not less than 50~~
1302 ~~square feet for each occupant. The maximum number of occupants for each~~
1303 ~~room used for sleeping purposes shall be four.~~

1304 ~~2. Have a minimum width of eight feet.~~

1305 ~~C. Gross area shall be calculated on the basis of total habitable room area and~~
1306 ~~those exclusions appearing in the definition of "habitable room" shall not be~~
1307 ~~considered in calculation of such floor areas.~~

1308 ~~D. Every habitable room in a vacation rental shall have a ceiling height of not less~~
1309 ~~than seven feet for at least half the floor area of the room. Any portion of a~~
1310 ~~habitable room having a ceiling height of five feet or less shall not be included in~~
1311 ~~calculating the total floor area of such room.~~

1312 ~~E. The maximum vacation rental occupancy shall not exceed the smallest~~
1313 ~~occupancy calculated pursuant to each of the following standards:~~

1314 ~~1. Two persons per bedroom; regardless of the number of bedrooms;~~

1315 ~~2. The maximum occupancy shall be limited to ten transient Occupants per~~
1316 ~~Vacation Rental Unit, the total size of the occupiable space notwithstanding;~~
1317 ~~and~~

1318 ~~3. Three Transient Occupants per one off-street parking space legally available~~
1319 ~~to the property, as required by duly approved site plan for the property or as~~
1320 ~~required by the Code.~~

1321 **~~§ 13.15 Posting of vacation rental information.~~**

1322 ~~A. In each vacation rental, located outside on the back or next to the main entrance door~~
1323 ~~there shall be posted as a single page the following information:~~

1324 ~~1. The name, address and phone number of the vacation rental representative;~~

1325 ~~2. The maximum occupancy of the vacation rental;~~

1326 3. ~~A statement advising the occupant that any sound which crosses a property line~~
1327 ~~at a volume which is unreasonably loud is unlawful within the Village; as per the~~
1328 ~~Village Noise Ordinance;~~

1329 4. ~~A sketch of the location of the off-street parking spaces;~~

1330 5. ~~The days and times of trash pickup;~~

1331 6. ~~The location of the nearest hospital; and~~

1332 7. ~~The local non-emergency police phone number.~~

1333 B. ~~A copy of the building evacuation map—Minimum 8½ by 11 shall be provided to the~~
1334 ~~renter upon the start of each vacation rental.~~

1335 C. ~~The foregoing shall be made a part of each rental agreement.~~

1336 ~~DIVISION 5. ADMINISTRATION, PENALTIES, AND ENFORCEMENT~~

1337 ~~§ 13.16 Administration of vacation rental license program.~~

1338 ~~The ultimate responsibility for the administration of this subchapter is vested in the~~
1339 ~~Village Manager, or his/her authorized designee, who is responsible for granting, denying,~~
1340 ~~revoking, renewing, suspending and canceling vacation rental licenses for proposed and~~
1341 ~~existing vacation rentals as set forth in this subchapter.~~

1342 ~~§ 13.17. Appeals.~~

1343 ~~Any decision of the Village Manager, or his/her authorized designee, relating to the~~
1344 ~~granting, denial, renewal, modification, or suspension of a vacation rental license under~~
1345 ~~this subchapter shall be rendered in writing, and reviewed by the Village Commission if a~~
1346 ~~notice by the applicant is filed with the Village Clerk within ten days after the action to be~~
1347 ~~reviewed. The Village Clerk shall place the matter on the agenda of an upcoming meeting~~
1348 ~~of the Village Commission, at which the matter will be reviewed. The decision of the~~
1349 ~~Village Commission shall be final. Such final decision may be reviewed as permitted~~
1350 ~~under Florida law.~~

1351 ~~§ 13.18 Notice.~~

1352 ~~Any notice required under this subchapter shall be accomplished by sending a written~~
1353 ~~notification by U.S. Mail, postage paid, to the mailing address of the vacation rental~~
1354 ~~representative set forth on documents filed with the Village under this subchapter, which~~
1355 ~~shall be considered for all purposes as the correct address for service, or by personal~~
1356 ~~service or delivery to the vacation rental representative.~~

1357 ~~§ 13.19 Penalties and enforcement.~~

1358 A. ~~By citation. Any violation of this Chapter 13, or any rule adopted under this chapter,~~
1359 ~~may be punished by citation, as specifically described in Chapter 153, Code~~
1360 ~~Enforcement of the Code of Ordinances of North Bay Village, including but not limited~~
1361 ~~to the requirements of a reasonable warning prior to issuance of a citation; provided,~~
1362 ~~however, such violation shall be subject to a fine in the amount of \$1,000.00, for the~~
1363 ~~first offense, \$2,000.00 for the second and subsequent offenses, plus a suspension~~

1364 of the vacation rental license or a refusal to issue a vacation rental license as
1365 provided hereinafter, following the second offense. A fine of \$5,000.00 shall be
1366 imposed for the third and any subsequent offenses. Each day a violation exists shall
1367 constitute a separate and distinct violation.

1368 ~~B. Other enforcement methods and penalties.~~ Notwithstanding anything otherwise
1369 provided herein, violations of this subchapter shall also be subject to all the
1370 enforcement methods and penalties that may be imposed for the violation of
1371 ordinances of the Village as provided in the Village Code of Ordinances. Nothing
1372 contained herein shall prevent the Village from seeking all other available remedies
1373 which may include, but not be limited to, injunctive relief, abatement of public
1374 nuisance, liens, fines, imprisonment, and other penalties as provided by law. For
1375 properties operating without a license as specified herein, incurring multiple code
1376 violations as specified herein, and/or constituting a public nuisance, the City Manager
1377 is authorized to initiate litigation to pursue other available remedies including, but not
1378 limited to, injunctive relief, abatement of public nuisance, recovery of liens and fines,
1379 and other causes of action, in court of competent jurisdiction.

1380 ~~C. Suspension of license.~~

1381 1. ~~In addition to any fines and any other remedies described herein or provided for~~
1382 ~~by law, the Village Manager shall suspend a vacation rental license for 30~~
1383 ~~calendar days upon a second violation of this chapter in any continuous 12-~~
1384 ~~month period and for one year upon a third violation of this subchapter in any~~
1385 ~~continuous 12-month period. Violations subsequent to the third violation within~~
1386 ~~the continuous 12-month period following the initial violation or to the imposition~~
1387 ~~of a suspension will result in the imposition of extensions of the suspension by~~
1388 ~~one year per subsequent violation. Such suspension shall begin following notice,~~
1389 ~~commencing either at the end of the current vacation rental lease period, or after~~
1390 ~~30 calendar days, whichever is less.~~

1391 2. ~~For violations of the Florida Building Code, or Florida Fire Prevention Code, a~~
1392 ~~vacation rental license shall be subject to temporary suspension starting~~
1393 ~~immediately three working days after citation for such violation if it is not~~
1394 ~~corrected, re-inspected, and found in compliance.~~

1395 3. ~~The Village Manager may refuse to issue a vacation rental license upon a third~~
1396 ~~violation of this subchapter in any continuous 12-month period, including but not~~
1397 ~~limited to, if the property has operated an unlicensed vacation rental in violation~~
1398 ~~of subsection 13.3.A. or advertised an unlicensed vacation rental in violation of~~
1399 ~~subsection 13.3.B. Such refusal to issue a Vacation Rental license shall be for~~
1400 ~~a period of one year.~~

1401 ~~D. Revocation of license.~~

1402 1. ~~The Village Manager may refuse to issue or renew a license or may revoke a~~
1403 ~~vacation rental license issued under this subchapter if the property owner has~~
1404 ~~willfully withheld or falsified any information required for a vacation rental license.~~

1405 2. ~~The Village Manager shall revoke a vacation rental license issued under this~~
1406 ~~subchapter upon the fifth adjudication of either a noise violation where such~~

1407 ~~noise emanated from the vacation rental or receipt of a parking violation where~~
1408 ~~such parking violation occurred on the vacation rental property within any~~
1409 ~~continuous 12-month period, or any combination thereof.~~

1410 ~~3. The property owner shall not be entitled to any refund of the annual fee paid for~~
1411 ~~a license for any portion of the unexpired term of a license, because of~~
1412 ~~revocation or suspension of the vacation rental license.~~

1413 ~~E. For all purposes under this subchapter, service of notice on the vacation rental~~
1414 ~~representative shall be deemed service of notice on the property owner and~~
1415 ~~occupant.~~

1416 ~~F. No occupant shall occupy a vacation rental, and no advertisement for the vacation~~
1417 ~~rental shall occur during any period of suspension of a vacation rental's vacation~~
1418 ~~rental license.~~

1419 ~~DIVISION 6. VESTING~~

1420 ~~**§ 13.20 Rental agreement vesting.**~~

1421 ~~It is recognized that there are likely existing rental/lease agreements for vacation~~
1422 ~~rentals as the time of passage of this chapter which may not be in compliance with the~~
1423 ~~regulations herein. Rental agreements that were entered into prior to the date of adoption,~~
1424 ~~shall be considered vested. No special vesting process or fee shall be required to obtain~~
1425 ~~this vesting benefit.~~

EXHIBIT B

Ordinance - Exhibit B

	A	B
1	Property Address	Owner as of [INSERT DATE OF SECOND READING]
2	North Bay Island	
3	7800 Miami View Drive	
4	7801 Miami View Drive	
5	7700 Beach View Drive	
6	7701 Beach View Drive	
7	7800 Beach View Drive	
8	7830 Miami View Drive	
9	7501 Coquina Drive	
10	7810 Coquina Drive	
11	7811 Beach View Drive	
12	7510 Coquina Drive	
13	7521 Coquina Drive	
14	7700 Miami View Drive	
15	7711 Coquina Drive	
16	7611 Coquina Drive	
17	7720 Center Bay Drive	
18	Treasure Island	
19	1560 South Treasure Drive	
20	1580 South Treasure Drive	
21	7504 West Treasure Drive	
22	7536 West Tresaure Drive	
23	7521 Cutlass Avenue	
24	7556 W Treasure Drive	
25	7536 Bounty Ave	
26	7548 Adventure Avenue	
27	7532 Hispanola Avenue	
28	7549 West Treasure Drive	
29	7533 Bounty Avenue	
30	7505 Mutiny Avenue	
31	7544 Mutiny Avenue	
32	7552 Mutiny Avenue	
33	Harbor Island	
34	7904 West Drive #115	
35	7904 West Drive #205	
36	7904 West Drive #214	
37	7904 West Drive #216	
38	7904 West Drive #305	
39	7904 West Drive #507	
40	7904 West Drive #512	
41	7904 West Drive #601	
42	7904 West Drive #712	
43	7904 West Drive #716	
44	7904 West Drive #805	

Ordinance - Exhibit B

	A	B
45	7904 West Drive #807	
46	7904 West Drive #808	
47	7904 West Drive #904	
48	7904 West Drive #914	
49	7904 West Drive #916	
50	7904 West Drive #1002	
51	7904 West Drive #1008	
52	7904 West Drive #1014	
53	7904 West Drive #1015	
54	7904 West Drive #104	
55	7939 East Drive	

	A	B	C	D	E
1	Property Address	Village Location	Zoning District	Property Owner	VR License Status as of 7-19-22
2	7939 EAST DR #1	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
3	7939 EAST DR #10	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
4	7939 EAST DR #11	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
5	7939 EAST DR #12	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
6	7939 EAST DR #13	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
7	7939 EAST DR #14	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
8	7939 EAST DR #15	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
9	7939 EAST DR #2	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
10	7939 EAST DR #3	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
11	7939 EAST DR #4	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
12	7939 EAST DR #5	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
13	7939 EAST DR #6	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
14	7939 EAST DR #7	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
15	7939 EAST DR #8	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
16	7939 EAST DR #9	Harbor Island	RM-70	NBV TOWER LLC	Application Pending as of 7-19-22
17	1353 Bay Terrace	North Bay Island	RS-1	1353 BAY TERRACE LLC	Application Pending as of 7-19-22
18	7500 Miami View Drive	North Bay Island	RS-1	JOSEPH GONZALEZ ; JONATHAN ROLLO	Application Pending as of 7-19-22
19	7530 Miami View Drive	North Bay Island	RS-1	SUSAN T GALLAGHER TRS ; SUSAN T GALLAGHER REV TR	Application Pending as of 7-19-22
20	7720 Miami View Drive	North Bay Island	RS-1	Miami View Drive LLC	Application Pending as of 7-19-22
21	7810 Miami View Drive	North Bay Island	RS-1	STEVEN ROBLES	Application Pending as of 7-19-22
22	7501 Coquina Drive	North Bay Island	RS-1	7501COQUINA LLC	Licensed
23	7510 Coquina Drive	North Bay Island	RS-1	ADIL BENJELLOUN / SOUMIA BENJELLOUN	Licensed
24	7521 Coquina Drive	North Bay Island	RS-1	HASAN KERESTECI	Licensed
25	7611 Coquina Drive	North Bay Island	RS-1	CIESE INVESTMENTS FLORIDA LLC	Licensed
26	7700 Beach View Drive	North Bay Island	RS-1	PV INVEST LAND USA CORP	Licensed
27	7700 Miami View Drive	North Bay Island	RS-1	MIAMI VIEW PROPERTIES LLC	Licensed
28	7701 Beach View Drive	North Bay Island	RS-1	Nabil Hach Al-LUH	Licensed
29	7711 Coquina Drive	North Bay Island	RS-1	JARRED LEIBNER	Licensed
30	7720 Center Bay Drive	North Bay Island	RS-1	SANDKAMP PROPERTIES LLC	Licensed
31	7800 Beach View Drive	North Bay Island	RS-1	NADIA & FILS LLC	Licensed
32	7800 Miami View Drive	North Bay Island	RS-1	7800MIAMIVIEWNBV LLC	Licensed
33	7801 Miami View Drive	North Bay Island	RS-1	VILLA MIA LLC	Licensed
34	7810 Coquina Drive	North Bay Island	RS-1	TUNG DUC NGUYEN / LOAN DANG NGUYEN	Licensed
35	7811 Beach View Drive	North Bay Island	RS-1	Danny Atar	Licensed
36	7830 Miami View Drive	North Bay Island	RS-1	Deborah P. Wright	Licensed
37	1441 South Treasure Drive	Treasure Island	RS-2	1441 S TREASURE LLC	Application Pending as of 7-19-22
38	1450 S Treasure Drive	Treasure Island	RS-2	1450 S Treasure Dr LLC	Application Pending as of 7-19-22
39	1480 S Treasure Drive	Treasure Island	RS-2	PAWAN SINGH	Application Pending as of 7-19-22
40	1540 N Treasure Drive	Treasure Island	RS-2	LIVE SUMMER FLORIDA LLC	Application Pending as of 7-19-22
41	1671 S Treasure Drive	Treasure Island	RS-2	11 INVEST PRO LLC	Application Pending as of 7-19-22
42	1690 S Treasure Drive	Treasure Island	RS-2	Atmosphere Invest LLC	Application Pending as of 7-19-22
43	7504 Bounty Avenue	Treasure Island	RS-2	MICHAEL M O'CONNELL ; CECILIA MARIA VELOZ	Application Pending as of 7-19-22
44	7505 Adventure Avenue	Treasure Island	RS-2	7505 Adventure Avenue LLC	Application Pending as of 7-19-22
45	7513 Adventure Avenue	Treasure Island	RS-2	WHEELER RENTALS LLC	Application Pending as of 7-19-22
46	7517 Hispanola Avenue	Treasure Island	RS-2	STEPHANIE HAUGHTON	Application Pending as of 7-19-22
47	7525 Buccaneer Avenue	Treasure Island	RS-2	7525 BUCCANEER AVE NORTH BAY VILLAGE LLC	Application Pending as of 7-19-22
48	7537 W Treasure Drive	Treasure Island	RS-2	Guillaume B. O. A. De Fonvielle	Application Pending as of 7-19-22
49	7540 W Treasure Drive	Treasure Island	RS-2	Miguel Mendiola	Application Pending as of 7-19-22
50	7544 Mutiny Avenue	Treasure Island	RS-2	DUREX LLC	Application Pending as of 7-19-22
51	7544 W Treasure Drive	Treasure Island	RS-2	Dani Goldenberg ; Ceyda Kohen Goldenberg	Application Pending as of 7-19-22
52	7552 Cutlass Avenue	Treasure Island	RS-2	NVN PROPERTIES LLC	Application Pending as of 7-19-22
53	1560 South Treasure Drive	Treasure Island	RS-2	VILLAGES 1 LLC	Licensed
54	1580 South Treasure Drive	Treasure Island	RS-2	SOUTH TREASURE PROPERTY INC / C/O CHEEMA AND DEL FIERRO PA	Licensed
55	7504 West Treasure Drive	Treasure Island	RS-2	7504 W TREASURE LLC	Licensed
56	7505 Mutiny Avenue	Treasure Island	RS-2	11 INVEST INTERNATIONAL LLC	Licensed
57	7521 Cutlass Avenue	Treasure Island	RS-2	TREASURE7557 LLC	Licensed
58	7532 Hispanola Avenue	Treasure Island	RS-2	VILLA TESORO INC	Licensed
59	7533 Bounty Avenue	Treasure Island	RS-2	JESUS E SUAREZ TOSCANO	Licensed
60	7536 Adventure Avenue	Treasure Island	RS-2	JORDAN LEWITES	Licensed
61	7536 Bounty Avenue	Treasure Island	RS-2	SIBER US LLC	Licensed
62	7536 West Treasure Drive	Treasure Island	RS-2	7536 W TREASURE DR LLC	Licensed
63	7548 Adventure Avenue	Treasure Island	RS-2	11 INVEST PRO L L C	Licensed
64	7548 Hispanola Avenue	Treasure Island	RS-2	LUIS A SANCHEZ TRS ; SANCHEZ FAMILY TRUST ; MICHELLE GONZALEZ SANCHEZ TRS	Licensed
65	7549 West Treasure Drive	Treasure Island	RS-2	GUILLERMO MALDONADO	Licensed
66	7552 Mutiny Avenue	Treasure Island	RS-2	DAVID P PIEDRAHITA / SINDY Y MARIN	Licensed
67	7556 W Treasure Drive	Treasure Island	RS-2	JESUS MORENO &W DAISY	Licensed