



32 valid from August 1, or the date of issuance, through July 31. The owner(s) of the dwelling  
33 unit or the owner's agent shall submit a written application for a permit on a form provided  
34 by the city. Upon receipt of a completed application, the city manager or designee shall issue  
35 a landlord permit for the dwelling unit provided each of the following conditions are met:

- 36 (1) The application is accompanied by payment of the permit fee set forth in Appendix A;
- 37 (2) The owner(s) and the dwelling unit are in compliance with all provisions of this  
38 article; and
- 39 (3) The application for the landlord permit provides the correct street address for the  
40 dwelling unit.

41 (c) *Exemption.* This section does not apply if the dwelling unit is occupied by: a) the owner(s)  
42 as a permanent place of residence, as evidenced by an existing homestead exemption or a  
43 filed application for a homestead exemption, or b) no persons other than the following  
44 family members of the owner(s): spouse, domestic partner, child, stepchild, foster child,  
45 parent, stepparent, foster parent, brother, sister, grandparent, grandchild, aunt, uncle, niece,  
46 nephew, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-  
47 law, or legal guardian, as evidenced by written documentation of such relationship.

48 (d) *Payment; late payment.* The applicable permit fee is specified in Appendix A. If payment  
49 is not received on or before the due date specified in Appendix A, the late fee specified in  
50 Appendix A shall be due and payable and the city manager or designee may refer the  
51 account to a collection agency. If the collection agency does not collect the amount due  
52 within 90 days of the referral, or if the city manager or designee decides not to refer the  
53 account to a collection agency, the applicant or permit holder shall be subject to notice of  
54 violation of this article and code enforcement proceedings, or the case can be referred to the  
55 city attorney to pursue resolution in a court of competent jurisdiction.

56 (e) *Failure to apply for permit.* If the city manager or designee has reasonable cause to believe  
57 that a dwelling unit is occupied without a permit in violation of this article, the owner(s) of  
58 the property shall be ~~given notice~~ sent an application advising that the owner(s) shall, within  
59 30 days of the date ~~notice was given~~ application was sent, either: a) provide evidence that a  
60 permit is not required, or b) submit a permit application. Failure to either provide evidence  
61 that a permit is not required, or submit a permit application within 30 days ~~of the date notice~~  
62 ~~was given~~ shall subject the owner(s) to a notice of violation of this article and code  
63 enforcement proceedings. Fines imposed by the code enforcement-proceedings shall stop  
64 accruing, and be calculated as due and payable to the city, upon the date of occurrence of  
65 any of the following events:

- 66 (1) A landlord permit is obtained for the subject property;
- 67 (2) The subject property is no longer occupied in violation of this article;
- 68 (3) The subject property has been relinquished by the owner(s) by sale, foreclosure, or  
69 other action that dispossesses the owner(s) of title to the property; or
- 70 (4) The landlord permit year for which the owner(s) is in arrears ends.

71 (f) *Requirements of permit applicant.* The applicant for a landlord permit shall comply with  
72 the following requirements. Failure to comply with any of the following requirements shall  
73 be grounds for revocation of the permit, as described in section 14.5-3 or denial of a permit  
74 as described in section 14.5-4.

75 (1) The applicant shall certify that he/she has provided each occupant of the subject  
76 dwelling unit with a copy of:

77 a. F.S. ch. 83, pt. II, titled "Residential Tenancies";

78 b. Chapter 14.5, article I of this Code, titled "Landlord Permits"; and

79 c. A pamphlet prepared by the city containing guidelines for rentals in residential  
80 neighborhoods.

81 (2) The applicant shall certify that, in the event the city provides notice of repeated  
82 violations of certain ordinances occurring at the dwelling unit, as provided in section  
83 14.5-2, the applicant will pursue all lawful remedies available under F.S. § 83.56,  
84 regarding termination of the rental agreement due to the tenant's failure to comply with  
85 F.S. ch. 83, the provisions of the lease or this Code.

86 (3) The applicant shall certify that he/she is the fee simple owner of the dwelling unit or  
87 the agent of the fee simple owner of the dwelling unit.

88 (4) The applicant shall provide the name, address, and telephone number of a contact  
89 person who resides within Alachua County to receive communications from the city  
90 concerning the permit.

91 (5) The applicant shall maintain a list of the names of occupants in each dwelling unit,  
92 and such lists shall be made available to the city in a reasonable amount of time upon  
93 request.

94 (g) If owner(s) sells the property for which a valid permit has been issued, the new owner(s)  
95 shall submit a permit application and otherwise meet the requirements of this article, and has  
96 the option of either: a) paying the permit fee for transfers of a permit as set forth in  
97 Appendix A, which permit shall be transferred with any outstanding points accumulated per  
98 section 14.5-2, or b) paying the permit fee for a new permit as set forth in Appendix A,  
99 which permit shall have no accumulated points.

100

101 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of

102 this Ordinance shall become and be made a part of the Code of Ordinances of the City of

103 Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be renumbered

104 or relettered in order to accomplish such intentions.

105           **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
106 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
107 finding shall not affect the other provisions or application of the ordinance which can be given  
108 effect without the invalid or unconstitutional provisions or application, and to this end the  
109 provisions of this ordinance are declared severable.

110           **Section 4.** All ordinances or parts of ordinances, in conflict herewith are to the extent of  
111 such conflict hereby repealed.

112           **Section 5.** This ordinance shall become effective immediately upon final adoption.

113

114           **PASSED AND ADOPTED this 7th day of February, 2019.**

115



116  
117           LAUREN POE  
118           MAYOR

116

117

118

119

120

121

122           ATTEST:

Approved as to form and legality

123

124

125



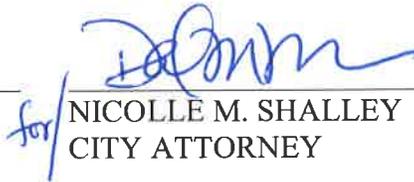
126  
127           OMICHELE D. GAANEY  
128           CLERK OF THE COMMISSION

126

127

128

129



127           for/ NICOLLE M. SHALLEY  
128           CITY ATTORNEY

130

131           This ordinance passed on first reading this 17th day of January, 2019.

132

133           This ordinance passed on second reading this 7th day of February, 2019.

134

135