

Citizen Centered Gainesville

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City of Gainesville

180399 Airbnb Regulations
NOVEMBER 8, 2018

Vacation Rental Regulations

Also referred to as short-term rentals or home sharing.
Entities such as Airbnb, VRBO, HomeAway and several others

Florida State Statute 509-032

(7) Preemption authority.--

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to [ss. 553.80](#) and [633.206](#).

(b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

Attorney Generals Opinion

[Section 509.032\(7\)\(b\), Florida Statutes](#), allows some regulation of vacation rentals, but prevents local government from enacting a law, ordinance, or regulation that prohibits vacation rentals. Therefore, the city may not impose spacing or proportional regulations that would have the effect of preventing eligible housing as defined in [section 509.242, Florida Statutes](#), from being used as a vacation rental.

Permit Requirement and Fee

Fort Lauderdale (Vacation Rentals)

- Registration required regardless whether it is the whole house or room(s) in your homesteaded property.
- Certificate of Compliance issued
- Fee is required, business tax
- Approximately \$220.00 first year and \$170.00 each year thereafter, plus local business tax.

Orlando (Home Sharing)

- Registration required to rent a room(s) in your owner-occupied property.
- Whole house rentals are not governed under this ordinance.
- Permit issued with a fee:
- \$275.00 first year and \$125.00 each year thereafter.

Permit Requirement and Fee

City of Gainesville

- Landlord Permit process, single family residential property owners are required to get a permit to rent their house.
- Room(s) in your owner-occupied homesteaded property are exempt from this requirement.
- No regulation on the length of the lease so short term and long term are treated the same.
- Fee is currently \$147.00 annually.

FLAGLER COUNTY

- Certification required regardless whether it is the whole house or room(s) in your homesteaded property.
- Inspection required for first year application fee of \$500.00
- No inspection if no changes to dwelling or application and a renewal fee of \$250.00

Inspection

- Ft Lauderdale and Flagler County require an inspection for the initial year only as part of their “Vacation Rental” ordinance.
- Orlando has no required inspection in conjunction with their “Home Sharing” ordinance.
- Gainesville has no requirement for an inspection specific to the Landlord Permit. However, if an occupant lodges a complaint, an inspection will be performed.

Parking

Flagler County and Fort Lauderdale

Both have specific requirements for “transient parking” Flagler is 1 space for every 3 persons and Fort Lauderdale just says all parking must be on the property. Both prohibit on street parking in conjunction with the rental.

Orlando

No regulation in connection with the registration.

Parking

City of Gainesville

With the Landlord permit, homes within the University Context Area are required to submit a parking plan.

Once approved, this plan is the only place vehicles are allowed to park.

It is restricted to approximately 40% of the front yard of the property and must be solely on the property.

Noise

Noise is addressed by each City with similar policies, handled by law enforcement.

- Fort Lauderdale's Chapter 17 on "Noise Control"
- Orlando's Chapter 42 on "Noise"
- Flagler County Land Development Code "Noise"
- Gainesville's Chapter 15 "Noise"

All rentals, regardless of the type of registration, are subject to these types of criminal violations.

Other Violations

Fort Lauderdale, Orlando and Flagler County

All three areas have “Rental Standards” that regulate several areas such as safety requirements, maximum occupancy, and declarations within the lease. They also state compliance with all other standards outlined in code.

Other Violations

City of Gainesville

- While there are no additional ordinances specifically associated with the Landlord permit, all properties are subject to the Code of Ordinances which regulates Minimum Housing Standards and Care of Premises. These deal with garbage, blight, mowing yards, as well as occupancy limits.
- The City of Gainesville Code of Ordinance covers any issue that may arise at a vacation rental in the same manner as any other property within the city limits.

Thank You.