

ARTICLE I. - LANDLORD PERMITS²

Sec. 14.5-1. - Landlord permits.

- (a) *Definitions.* Unless otherwise specified in this article, "days" shall mean calendar days and "notice" shall mean written notice that is made in the same manner as provided in F.S. § 162.12.
- (b) *Application/issuance of permit.* The owner(s) of a dwelling unit, as defined in section 30-~~232.1~~, that is located within one of the following districts designated in section 30-57 RSF-1; RSF-2; RSF-3; RSF-4; RC; all PD's designated for residential use at a density of more than eight dwelling units per acre; and all other pd's as may be specified in the rezoning ordinance. shall obtain a landlord permit prior to allowing the occupancy of that dwelling unit by any person, whether or not for consideration. Landlord permits shall be valid from August 1, or the date of issuance, through July 31. The owner(s) of the dwelling unit or the owner's agent shall submit a written application for a permit on a form provided by the city. Upon receipt of a completed application, the city manager or designee shall issue a landlord permit for the dwelling unit provided each of the following conditions are met:
- (1) The application is accompanied by payment of the permit fee set forth in Appendix A;
 - (2) The owner(s) and the dwelling unit are in compliance with all provisions of this article; and
 - (3) The application for the landlord permit provides the correct street address for the dwelling unit.
- (c) *Exemption.* This section does not apply if the dwelling unit is occupied by: a) the owner(s) as a permanent place of residence, as evidenced by an existing homestead exemption or a filed application for a homestead exemption, or b) no persons other than the following family members of the owner(s): spouse, domestic partner, child, stepchild, foster child, parent, stepparent, foster parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or legal guardian, as evidenced by written documentation of such relationship.
- (d) *Payment; late payment.* The applicable permit fee is specified in Appendix A. If payment is not received on or before the due date specified in Appendix A, the late fee specified in Appendix A shall be due and payable and the city manager or designee may refer the account to a collection agency. If the collection agency does not collect the amount due within 90 days of the referral, or if the city manager or designee decides not to refer the account to a collection agency, the applicant or permit holder shall be subject to notice of violation of this article and code enforcement proceedings, or the case can be referred to the city attorney to pursue resolution in a court of competent jurisdiction.
- (e) *Failure to apply for permit.* If the city manager or designee has reasonable cause to believe that a dwelling unit is occupied without a permit in violation of this article, the owner(s) of the property shall be sent an application advising given notice that the owner(s) shall, within 30 days of the date application was sent, notice was given, either: a) provide evidence that a permit is not required, or b) submit a permit application. Failure to either provide evidence that a permit is not required, or submit a permit application within 30 days of the date notice was given shall subject the owner(s) to a notice of violation of this article and code enforcement proceedings. Fines imposed by the code enforcement proceedings shall stop accruing, and be calculated as due and payable to the city, upon the date of occurrence of any of the following events:
- (1) A landlord permit is obtained for the subject property;
 - (2) The subject property is no longer occupied in violation of this article;
 - (3) The subject property has been relinquished by the owner(s) by sale, foreclosure, or other action that dispossesses the owner(s) of title to the property; or
 - (4) The landlord permit year for which the owner(s) is in arrears ends.
- (f) *Requirements of permit applicant.* The applicant for a landlord permit shall comply with the following requirements. Failure to comply with any of the following requirements shall be grounds for revocation of the permit, as described in section 14.5-3 or denial of a permit as described in section 14.5-4.

- (1) The applicant shall certify that he/she has provided each occupant of the subject dwelling unit with a copy of:
 - a. F.S. ch. 83, pt. II, titled "Residential Tenancies";
 - b. Chapter 14.5, article I of this Code, titled "Landlord Permits"; and
 - c. A pamphlet prepared by the city containing guidelines for rentals in residential neighborhoods.
 - (2) The applicant shall certify that, in the event the city provides notice of repeated violations of certain ordinances occurring at the dwelling unit, as provided in section 14.5-2, the applicant will pursue all lawful remedies available under F.S. § 83.56, regarding termination of the rental agreement due to the tenant's failure to comply with F.S. ch. 83, the provisions of the lease or this Code.
 - (3) The applicant shall certify that he/she is the fee simple owner of the dwelling unit or the agent of the fee simple owner of the dwelling unit.
 - (4) The applicant shall provide the name, address, and telephone number of a contact person who resides within Alachua County to receive communications from the city concerning the permit.
 - (5) The applicant shall maintain a list of the names of occupants in each dwelling unit, and such lists shall be made available to the city in a reasonable amount of time upon request.
- (g) If owner(s) sells the property for which a valid permit has been issued, the new owner(s) shall submit a permit application and otherwise meet the requirements of this article, and has the option of either:
 - a) paying the permit fee for transfers of a permit as set forth in Appendix A, which permit shall be transferred with any outstanding points accumulated per section 14.5-2, or
 - b) paying the permit fee for a new permit as set forth in Appendix A, which permit shall have no accumulated points.

(Ord. No. 070107, § 2, 6-25-07; Ord. No. 100591, §§ 1, 2, 7-21-11; Ord. No. 140043, § 1, 7-17-14; Ord. No. [140292](#), § 2, 7-21-16)