

ORDINANCE 08-03

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADDING A NEW CHAPTER AND ARTICLE TO THE BELLE ISLE CODE OF ORDINANCES ESTABLISHING REGULATIONS AND LICENSING REQUIREMENTS FOR THE RENTAL OF RESIDENTIAL DWELLINGS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Belle Isle desires to protect the public health, safety, morals and welfare of the residents of Belle Isle and to sustain and protect the basic viability of neighborhoods by minimizing blight and nuisance conditions by establishing reasonable licensing requirements for the rental of residential dwellings.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Belle Isle, as follows:

SECTION 1. That the Belle Isle City Code, is hereby amended by adding a new Chapter 7, Article I, which reads as follows:

Chapter 7 Housing

Article I. Regulation of Residential Rental Property.

Sec. 7-1 License required.

An annual license issued by the City Clerk shall be required for any owner of residential property to rent or lease, or offer to rent or lease therein any residential dwelling in the City of Belle Isle, a copy of which is to be available at the dwelling unit.

Sec. 7-2 Application for license.

(A) The owner of record of each dwelling unit which is rented, or offered for rent, shall make written application to the City Clerk, on such form or forms as the City shall from time to time designate, for a residential rental license setting forth the following information:

- (1) The address of the dwelling unit;
- (2) The unit classification, e.g., single-family, duplex, triplex, or condominium;
- (3) The term of the lease, i.e., beginning and ending dates;
- (4) The name of lessee;
- (5) The number of and relationship among the occupants to reside in the dwelling unit; and
- (6) The name, address and telephone number of the owner/licensee of the dwelling unit.

(B) The application shall also include an acknowledgement to be signed by the owner/licensee stating that he or she has been informed and is aware of the following:

- (1) That the licensee/owner shall be responsible for maintaining the rental property in compliance with all Belle Isle codes.
- (2) That failure to maintain the rental property in compliance of the Belle Isle Code may result in enforcement against the licensee/owner before the Belle Isle Code Enforcement Board or by any other means available to the City.
- (3) That failure to abide the applicable codes and ordinances of the City may result in a fine and/or a lien upon the rental property and other property of the owner.
- (4) That no single-family home nor any dwelling unit of a duplex or other multi-family dwelling structure shall be rented except to a single family as defined by the Belle Isle Code.
- (5) That each lease or rental agreement entered for the licensed dwelling unit shall include the following language: *"Rental of this dwelling shall be only to a single family as defined by Belle Isle Code, as follows: one or more persons related by blood, marriage or adoption, living as a single nonprofit housekeeping unit OR a number of persons not exceeding three and living as a single nonprofit housekeeping unit though not related by blood, marriage or adoption."*

(C) An agent of one or more property owners may apply for multiple licenses, upon written authorization from each owner represented, provided that such authorization states that the owner has received of a copy of this Article and provided that the acknowledgement described in subsection (B) of this section is signed by the owner.

Sec. 7-3 Revocation or suspension of license.

Upon notice and hearing, the license may be revoked or suspended by the City Council for violation of any of the provisions of this Article, the Belle Isle Code or other ordinances of the city or laws of the state with regard to the rental of the dwelling or maintenance thereof, or for any other sufficient reason. In the event of a license suspension, the City Council may suspend the license for a specific period of time or until certain conditions have been complied with or violations cured. If the licensee, after such revocation or suspension of the license, thereafter continues to permit the rental of the premises, such rental shall be a continuing violation of this Article subject to a fine of up to \$500 per day, which fine shall result in a lien upon the rental property and other property of the owner.

Sec. 7-4 Exception for owner-occupied dwellings.

A residential rental license is not required of any property owner who occupies a single-family dwelling and rents not more than one (1) room in that dwelling, provided that nothing in this exception otherwise excuses such an owner from compliance with any other applicable code.

Sec. 7-5. Prohibitions of short-term rentals.

Short term rentals, i.e., rentals for a term of less than seven months, are prohibited.

Sec 7-6 Annual license fee.

The annual license fee shall be \$50.00 per dwelling unit licensed, or such amount as shall be established from time to time by resolution of Council to cover the cost and expense of administration of the license and annual inspection required hereby.

SECTION 2. SEVERABILITY. If any word, phrase, sentence, clause or other portion of this Ordinance is determined to be invalid, void, or unconstitutional, the remainder of this Ordinance shall remain in effect.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect upon adoption.

1st READING: held this ____ day of _____, 2008

2nd READING: held this ____ day of _____, 2008

	YES	NO	ABSENT
Thomas G. Petruzzi	_____	_____	_____
Trudy Prince	_____	_____	_____
Charles Scott	_____	_____	_____
Larry Ady	_____	_____	_____
"Harv" Readey	_____	_____	_____
Lydia Pisano	_____	_____	_____
Eric Spaulding	_____	_____	_____

William G. Brooks, Mayor

ATTEST:

Belinda Bateman, MMC, City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

I, BELINDA L. BATEMAN, CITY CLERK of the City of Belle Isle do hereby certify that the above and foregoing document was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 2008, at which session a quorum of its members were present.

City Clerk