



CITY OF OWENS CROSS ROADS

ORDINANCE NO. 22-027

REGULATION OF SHORT-TERM RENTAL DWELLINGS IN RESIDENTIAL DISTRICTS

The following regulations and violations shall apply to short-term rental of dwellings in districts zoned Residential inside the city limits of Owens Cross Roads, Alabama. These regulations do not apply in districts in which commercial lodging is permitted.

REGULATIONS:

1. For purposes of this article, "short-term rental" (STR) means the rental of a dwelling unit for less than thirty (30) consecutive days per rental period and the rental unit itself.
2. The property owner of the STR must have a renting and leasing business license from the city before a property owned by the property owner can be advertised or operated for STR. In addition, the property owner must submit an STR annual permit application to the city and obtain and maintain an STR annual permit at a rate of twenty dollars (\$20) for each STR unit.
3. The property owner must provide with the STR permit application the name, address and telephone number of an emergency contact that will respond within one (1) hour to complaints about the condition or operation of the STR or conduct of renters or their guests. The emergency contact must answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short-term rental period. All emergency contact information must be kept up to date with the Owens Cross Roads Building Department and must be clearly posted on the premises.
4. The STR may only be rented for lodging use. The STR may not be rented for weddings, parties, concerts or similar events or used for such events during any short-term rental period.
5. *Insurance.* All STR owners must obtain and maintain vacation rental property insurance that covers the lodging use of the site. Proof of insurance must be provided within thirty (30) days of the issuance of the STR permit. Proof of insurance must be resubmitted each year for renewal of the STR permit.
6. *Occupancy.* The dwelling may not be rented to more than one (1) party simultaneously and the total occupancy cannot exceed the total occupancy listed on the STR permit application.
7. The number of bedrooms is to be determined by the city building official as part of the STR permit application process. The city building official may inspect the dwelling to verify information submitted with the STR permit application. To be considered a bedroom, the room must meet the minimum requirements of the International Building Code adopted by the city as it pertains to a bedroom.
8. The property owner must, by written agreement with the renter, limit overnight occupancy of the STR to the maximum occupancy approved with the STR permit.
9. No on-premises signage legible from any right-of-way may advertise the STR.
10. The STR property owner and all occupants of the STR must comply with all applicable city ordinances and regulations including, but not limited to, building construction, fire safety, noise, mandatory recycling and garbage collection and disposal.

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11. The STR must have adequate off-street parking to accommodate all occupant parking needs. All occupant vehicles must park off the street and on the STR property. The definition of vehicles for this Ordinance shall include all makes/models of cars, trucks, motorcycles and off-road vehicles.

12. No food may be prepared or served to rental occupants by the STR property owner.

13. A copy of this article, the STR permit, emergency contact information and house rules that comply with this article must be posted in a conspicuous place in the STR. The STR rental party must sign a document indicating it received all of these documents.

14. Upon notification that a renter or a renter's guest has violated any provisions of this article **or any noise, garbage or other provisions of city ordinances and regulations**, the STR owner or emergency contact must promptly notify the renter of the violation and take such action as is necessary to prevent a reoccurrence.

15. **Notice.** Each owner must, upon issuance of an STR permit or upon changes to an existing STR permit, provide written **notice** to all owners of residentially zoned property who own property adjacent to the STR property, which notice includes the following information:

- a. The names and telephone numbers of the owner and emergency contact (if not the owner).
- b. The city telephone number by which members of the public may report violations.
- c. The permit application shall include the name and address of all property owners who own residential property adjacent to the STR property.

(16) **Taxation.** The property owner is responsible for collecting and reporting taxes from any rental arrangement that is not subject to an established collection agreement with the city.

Violations.

The following procedures shall apply in the event a violation of this article occurs:

1. If, after investigation, the city determines that any provisions of this article have been violated, the city will notify the property owner in writing stating the provisions violated, necessary corrective action and a compliance due date, as applicable. In addition, the city will use best efforts to immediately contact the property owner or emergency contact by telephone of any reported violation. Upon receipt of notice by telephone, the property owner or emergency contact shall have the obligation to immediately contact the renter concerning such violation and request the renter to immediately take action in order to end the violation. Any violations of this article by renters shall be considered a violation by the property owner.

2. **Fines.** In addition to the other remedies set out in this section, violations will be subject to fines as follows:

- a. **Violation warning.** The city may, in an exercise of discretion, issue a warning to the person responsible for the violation if that person has not been previously warned or cited for violating a provision of this article.
- b. **First violation.** The first time a person is found to have violated one (1) of the provisions of this article, the person is subject to a fine of five hundred dollars (\$500.00).

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c. *Second and subsequent violations.* Any second or subsequent time a person is found to have violated the provisions of this article, the person is subject to a fine of one thousand dollars (\$1,000.00) for each subsequent violation.

3. If a violation of building, fire safety or property maintenance regulations has not been corrected by the compliance date, the city may cause the STR permit to be temporarily suspended. When a first time violation has been corrected, the permit shall be re-instated for the remainder of its current approval period. The city may approve an extension of the compliance date if substantial progress toward compliance has been made provided that the public will not be adversely affected by the extension.

4. *Recurring violations.* When noise, occupancy, parking, trespass or other violations concerning the conduct at the STR or by its renters or their guests are found to have occurred more than once in the same license year or within any six-month period, or if a fine assessed against an STR property owner is not paid within thirty (30) days of delivery of notice of the fine, the city may set a hearing before the city council for the revocation of the permit related to that STR as to which a violation has occurred.

5. If the holder of the STR permit disagrees with the finding of a violation by the city, the STR permit holder may request a hearing before the city council on the decision of the city. Following a public hearing on the matter, the city council may find in favor of the STR permit holder thereby eliminating any penalties assessed against the permit holder or the city council may confirm the city's decision and confirm the penalties assessed against the permit holder pursuant to this article including revocation of the STR permit.

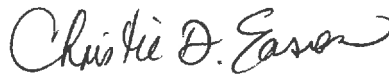
6. Written notice of any fines and hearings on violations and permit revocations shall be delivered to the property owner. Notice of hearings shall be given at least ten (10) days before the hearing. Notice shall be deemed delivered when placed in the U.S. mail to the address listed on the permit application.

7. Any person who disagrees with the decision of the city council shall have the right to appeal de novo to the Circuit Court of Madison County, Alabama.

ADOPTED THIS 15 DAY OF NOVEMBER, 2022.



Larry Furlough, Mayor Pro Tempore



ATTEST: Christie D. Eason, City Clerk

City of Owens Cross Roads, Alabama, certificate of publication. This is to certify that Ordinance No. 22-027, City of Owens Cross Roads, Alabama, was published by posting on the City website, Facebook page, and on at least three (3) bulletin boards within the City.



**OWENS CROSS ROADS CITY COUNCIL
ORDINANCE NO. 22-027
SHORT TERM RENTAL PROPERTIES**