

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6641

ORDINANCE COUNCIL SERIES NO: 21-4593

COUNCIL SPONSOR: STEFANCIK

PROVIDED BY: CIVIL ADA

INTRODUCED BY: MR. AIREY

SECONDED BY: MR. M. SMITH

ON THE 1 DAY OF APRIL , 2021

AN ORDINANCE TO AMEND AND REENACT THE ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 22 PERMITS, AND CHAPTER 130 UNIFIED DEVELOPMENT CODE, TO PROVIDE DEFINITIONS AND REGULATIONS REGARDING SHORT TERM RENTALS, TO PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE, AND CONSISTENCY WITH THE COMPREHENSIVE PLAN, BY ESTABLISHING WHERE SHORT TERM RENTAL IS APPROPRIATE, TO ADD SHORT TERM RENTALS AS A PERMITTED USE IN CERTAIN COMMERCIAL AND MIXED USE ZONING DISTRICTS WITHIN UNINCORPORATED ST. TAMMANY PARISH, AND TO PROVIDE FOR PERMITTING OF SHORT TERM RENTALS, AND PENALTIES AND FINES FOR VIOLATIONS. (2021-2348-ZC)

WHEREAS, a short term rental is commonly defined as a dwelling unit rented for a period of less than thirty (30) days for lodging and boarding of transient guests; and

WHEREAS, the increased usage of short term rentals in unincorporated St. Tammany Parish has resulted in a need to better define and establish uniformity for their permitting and use; and

WHEREAS, many communities recently have passed short term rental regulations, taking into account their unique situations in establishing definitions to distinguish short term rental from other related uses, restrictions by geographic area or type, use standards and/or licensing requirements, tax collection, and enforcement; and

WHEREAS, consistent with state and federal law and its Home Rule Charter and Comprehensive Plan, St. Tammany Parish regulates the use of land for the health, safety, and welfare of its citizens through zoning; and

WHEREAS, consistent with the Comprehensive Plan and land-use restrictions of zoning that effectuate the Plan and that protect the integrity of primarily residential districts, prohibiting short term rental in conventional residential zoning districts will promote the health, safety, and welfare of St. Tammany Parish residents and businesses; and

WHEREAS, short term rentals have never been a permitted use in any zoning district and are not compatible with the uses of residentially zoned districts, including Estate Districts, Suburban Districts, and Residential Districts; and

WHEREAS, short term rentals have greater potential negative impacts on residentially zoned districts, including noise, traffic, trash, and health and safety concerns; and

WHEREAS, short term rentals are more compatible with mixed use and commercially zoned districts where residential and commercial uses are allowed to co-exist; and

WHEREAS, nothing in this ordinance shall be construed to ratify any attempts to circumvent Parish ordinances through the use of short term rental contracts to otherwise violate any St. Tammany Parish Government ordinance or regulation, including but not limited to the use of short term rental contract or accept payment for other commercial uses outside of lodging which are not otherwise permitted; and

WHEREAS, nothing in this ordinance shall affect or alter building restrictions, deed restrictions, or restrictive covenants recorded in the land records of St. Tammany Parish against any immovable property; and

WHEREAS, nothing in this ordinance shall ratify past, current, or future violations of building restrictions, deed restrictions, or restrictive covenants recorded in the land records of St. Tammany Parish against any immovable property; and

WHEREAS, to promote the health, safety, and welfare of citizens, the St. Tammany Parish Government considers it necessary to amend the St. Tammany Parish Code of Ordinances and its Unified Development Code to provide definitions and regulations regarding short term rentals in unincorporated St. Tammany Parish.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the St. Tammany Parish Code of Ordinances, Chapter 22 Permits, Taxation and Regulations, and Chapter 130 Unified Development Code to provide definitions and regulations regarding short term rentals, to add short term rentals as a permitted use in certain commercial and mixed use zoning districts within unincorporated St. Tammany Parish, and to provide for permitting, and penalties and fines for violations as follows:

Amend Sec. 22-41. - Retail dealers in merchandise, services and rentals, to add:

(a)(2) jjj. Short term rentals

Amend Sec. 22-116. - Definitions, to add short term rentals to the definition of hotels subject to the hotel tax:

Sec. 22-116. - Definitions.

As used in this article, the following words, terms and phrases have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Hotel, as used herein, means and includes any establishment, including short term rentals, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of two or more guest rooms does not encompass any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families. Motels and tourist camps and overnight camping facilities are included within the definition in this subsection and shall specifically include establishments providing campgrounds and hook-ups or connection facilities for transient or overnight campers who travel or provide their own equipment but pay fees and consideration for the location and placement and various services for such campers. The term "hotel" used herein shall not include camp and retreat facilities owned and operated by nonprofit organizations exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) of the Internal Revenue Code provided that the net revenue derived from the organization's property is devoted wholly to the nonprofit organization's purposes.

Amend Sec. 130-5. - Definitions, to insert the following in alphabetical order:

Short Term Rental means a dwelling unit, whether single family or multi-family, rented for a period of less than thirty (30) days. "Short term rental" means and includes any establishment or person engaged in the business of furnishing one or more sleeping rooms, cottages, cabins, or any other similar lodging to transient guests in a location including but not limited to a house, apartment, condominium, camp, cabin, or other building structure used as a residence.

Amend Chapter 22 - Permits, Taxation and Regulations to add a new Article XII - SHORT TERM RENTALS:

Sec. 22-587. - Definitions.

As used in this article, the following words, terms and phrases have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Short Term Rental means a dwelling unit, whether single family or multi-family, rented for a period of less than thirty (30) days. "Short term rental" means and includes any establishment or person engaged in the business of furnishing one or more sleeping rooms, cottages, cabins, or any other similar lodging to transient guests in a location including but not limited to a house, apartment, condominium, camp, cabin, or other building structure used as a residence.

Designated Local Responsible Party means a person, who can be the operator, and who is designated on the application with his or her contact information provided to guests of a short term rental, and is made available to respond to complaints from either guests or neighbors and shall be available to appear on the premises of the short term rental within sixty (60) minutes to address any issues.

Operator means the owner, operator, agent, representative, or approved applicant who manages or oversees a short term rental and must comply with the requirements of this article.

Sec. 22-588. - Imposition and levy.

There is hereby levied and imposed within the unincorporated areas of the parish an annual permit fee in the amount of seven hundred and fifty dollars (\$ 750.00) for each short term rental operating in the unincorporated areas of the parish, for the purposes of monitoring and enforcing the provisions of this code related to short term rentals. The annual permit fee for each short term rental shall be included with the short term rental permit application submission and due to the Parish of St. Tammany on February 1st of each year. Any corporation, limited liability company or partnership owning, operating, and/or applying for a short term rental permit, shall agree, by signing the application, that said person is personally liable for the permit fee, interest, penalty, court costs and attorney fees due under this Ordinance. Interest on the annual permit fee shall accrue at the rate of one and one quarter percent a month from March 1st until the fee is paid. An additional penalty of five percent per month shall accrue for each month the permit fee is late, not to exceed twenty-five percent of the permit fee. In the event an attorney is employed to collect the annual permit fee and/or enforce any provision of this Ordinance, the operator shall pay a twenty-five percent attorney fee on the total amount of the permit fee, interest, penalty and other fines determined to be due.

Sec. 22-589. - Disbursement.

The proceeds of the annual permit shall be utilized for administration and enforcement.

Sec. 22-590. - Failure to pay; court action.

Failure to pay the permit fee and/or register any short term rental as provided in section 22-588, shall ipso facto, without demand or putting in default, cause said fee, interest, penalties, and costs to become immediately delinquent, and the St. Tammany Parish Government is hereby vested with authority, on motion in a court of competent jurisdiction, to take a rule on the said operator of the short term rental, for which the permit fee, interest, penalties, and costs to be assessed by the St. Tammany Parish Government, is due to show cause in not less than thirty (30) days, exclusive of holidays, after the service thereof, which may be tried out of term and in chambers, and shall always be tried by preference, why said operator should not be ordered to 1) pay all fees, interest, penalties, fines, court costs and attorney fees due, and 2) cease from further operation of any short term rental, and in case said rule is made absolute, the order thereon rendered shall be considered a judgment in favor of the St. Tammany Parish Government, awarding such amounts as determined to be due and prohibiting such operator from further pursuant of said activities and/or operation until such time as he has paid the said delinquent permit fee, interest, penalties, fines, court costs, and attorney fees, and every violation of the injunction shall be considered as a contempt of court, and punished according to law.

Sec. 22-591. - Application requirements and permit approval.

(a) No one shall operate a short term rental without first filing an application, initial or renewal, provided by St. Tammany Parish Government, and obtaining a short term rental permit from the department of planning and development to engage in such business. Where this code allows for a short term rental, including those that are in operation at the time of the effective date of this ordinance, the operator of each short term rental shall have until February 1st, 2022 to submit a completed application for the short term rental permit that must be approved, or face penalties as provided in this article. A

short term rental permit shall not be transferred from one (1) place or one (1) person to another place or person. More than one (1) short term rental may be located on the same property, in which case more than one (1) short term rental permit will be needed (one for each short term rental is required). The requirements for the short term rental permit herein provided are requirements separate and apart from and in addition to the requirements for obtaining an occupational license to operate a business as required per chapter 22, article II, et seq.

(b) The application and all supporting documents shall be retained and reviewed by the department of planning and development, which shall approve or deny the application and provide notice of such. All applications shall include, but not be limited to, the following information and documents:

(1) Name and contact information for the proposed operator of the short term rental, and the address of the short term rental. If the short term rental is owned by a corporation, partnership, sole proprietorship or other entity, the proposed operator shall provide: a sworn affidavit executed by the respective entity authorizing the operator to apply for a short term rental permit in the name of the establishment as required by this article, as well as the name, date, and state under which laws such entity was organized, and if a foreign (out of state) entity, whether such is authorized to do business in the State of Louisiana, the name under which the entity may be doing business, and the name of the principal officer(s) or whoever controls the entity, registered agent and local representatives or partners, and their business addresses. If the short term rental is owned by the proposed operator, an Act of Sale or Deed or Louisiana Homestead Exemption that establishes the proposed operator as the owner of the property in which the short term rental is located. If the proposed operator is a lessee or renter, a sworn affidavit executed by the owner of the property on which the short term rental is located, authorizing the lessee or renter to apply for a short term rental permit, as well as a current lease agreement with the signatures of the proposed short term rental operator and the owner of the property on which the short term rental is located.

(2) One (1) of the following forms of identification for the proposed operator: copy of valid driver's license, passport, or voter's registration.

(3) Payment in the amount of seven hundred and fifty dollars (\$ 750.00) for the annual short term rental permit fee.

(4) Payment in the amount of two hundred and fifty dollars (\$ 250.00) for the non-refundable short term rental application fee.

(5) Proof of valid occupational license as required by chapter 22, article II, et seq.

(6) Proof that the proposed operator has current, valid, general liability coverage, that includes coverage for short term or temporary rentals, of five hundred thousand dollars (\$ 500,000.00) or more, verified with a current insurance certificate, for the subject short term rental.

(7) A site and floor plan that depicts a scaled diagram of the short term rental and that includes, at minimum, the number of bedrooms, beds, and bathrooms in each short term rental, and at least one (1) required off street parking space per rented bedroom.

(8) Proposed maximum number of guests permitted in the short term rental.

(9) Date of proposed commencement of operation, if initial application.

(10) Name and contact information of the designated local responsible party, including phone number(s) with area code and email address. The designated local responsible party may be the proposed operator.

(11) Sworn affidavit executed by the proposed operator, specifying a designated local responsible party, and certifying that he or she is available twenty-four (24) hours a day when the short term rental is rented and guests are occupying the short term rental to accept telephone calls and respond physically to the short term rental within sixty (60) minutes, and that the contact information for the designated local responsible party, including name, phone number(s) with area code, and email address, will be provided to all guests and located in a conspicuous location within the short term rental so as to be easily accessible for guests.

(12) Copy of the informational brochure as required per section 130-2213(57)(a)(8).

(13) Sworn affidavit executed by the proposed operator certifying that the proposed operator has read and understood all of the minimum standards for short term rentals as set forth in section 130-2213(57), and that the proposed operator is and shall be through the duration of the permitting term in compliance with all of the minimum standards therein.

(14) A notarized copy of a criminal background investigation for the proposed operator and the designated local responsible party (if different), which is to be conducted by the St. Tammany Parish Sheriff's Office.

(15) Any additional information deemed necessary and requested by the department of planning and development.

(c) Where the short term rental permit application is approved, the department of planning and development will issue to the operator at the address provided in the application a permit approval notice that includes a short term rental permit number, an expiration date for the short term rental permit, and the maximum number of guests allowed in the short term rental, as determined by the fire marshal and department of planning and development. The short term rental permit number, the expiration date of the short term rental permit, and the maximum number of guests shall, throughout the duration of the permitting term, be contained in any and all advertisements for the short term rental and be displayed within the short term rental in a conspicuous location at all times so as to be easily accessible by guests.

(d) If any pertinent information contained within an operator's short term rental application changes, short term rental operators are required to notify the department of planning and development and provide legitimate documentation confirming said changes. Changes, including but not limited to, the property owner of which the short term rental is located, and/or the designated local responsible party and his or her contact information, shall be promptly provided to the department of planning and development by submitting a sworn affidavit executed by the operator certifying to that effect. Operators who are changing the designated local responsible party shall furnish the department of planning and development with a notarized copy of the criminal background investigation, which is to be conducted by the St. Tammany Parish Sheriff's Office, for the new designated local responsible party, in addition to his or her contact information.

Sec. 22-592. - Permit denial .

(a) The department of planning and development may deny issuance of a short term rental permit if it finds any of the following:

(1) That the applicant fails to meet the application requirements imposed in this article.

(2) That the applicant has knowingly made a false, misleading, or fraudulent statement of material fact in the permit application, or in any other document required therein.

(3) That the proposed short term rental will be conducted in a manner not meeting the health or safety standards established by the ordinances of the parish or laws of the state.

(4) That the proposed short term rental will be conducted in a zoning district in which short term rentals are not a permitted use.

(5) That the applicant has previously conducted the type of short term rental being applied for which results in the creation of a public or private nuisance, based at least in part on several formal complaints by guests or neighbors of the short term rental that are received by the department of planning and development.

(6) That the applicant who operates a short term rental has had three (3) short term rental permits that were suspended in the last ten (10) years from the date of the application or has had a short term rental permit revoked in the last ten (10) years from the date of the application.

(7) That the proposed short term rental has an outstanding notice of violation of the St. Tammany Parish Code of Ordinances, in excess of forty-five (45) days.

(8) That the applicant has been convicted of any crime involving drugs, vice, or felony in a court of competent jurisdiction within the last ten (10) years.

(9) That the applicant is not in good standing with the Parish of St. Tammany and/or State of Louisiana.

(b) Where the short term rental application is denied, the department of planning and development will issue to the applicant at the address provided in the application a notice stating the reasons for denial, as well as a refund for the amount contained in the short term rental permit application, less two hundred and fifty dollars (\$ 250) for the non-refundable application fee.

(c) A short term rental applicant who is denied the issuance of a short term rental permit may appeal the decision to the Board of Adjustment within 60 days from the date in which the notice of denial was delivered.

(d) Nothing in this article shall prevent an applicant from reapplying for a short term rental permit any number of times upon receipt of a notice of denial.

Sec. 22-593. - Violations and notice.

(a) It is unlawful to advertise or operate a short term rental without a valid short term rental permit. Whoever violates the provisions of this section shall be punished by a fine not exceeding five hundred (\$ 500.00) per short term rental, per day. Each day on which a short term rental advertises or operates without a valid short term rental permit shall be considered a separate offense for purposes of this section. Operating a short term rental with a suspended, revoked, or expired short term rental permit shall be considered operating a short term rental without a valid short term rental permit. Advertising a short term rental in any zoning district other than those in which short term rentals are permitted creates a presumption that a short term rental is being operated in violation of this code. Advertising more than one (1) short term rentals that are located on the same property creates a presumption that more than one (1) short term rentals exist on the property, and accordingly, that more than one (1) short term rental permits are needed. A short term rental operator shall be subject to fines and penalties upon good cause shown at a hearing conducted by the Bureau of Administrative Adjudication, through the notice, hearing practice and procedures as set fort in Section 2-562, that the short term rental operator is engaged in operation without a permit. St. Tammany Parish Government reserves the right to use the provisions of section 22-590 of this article to compel and enforce any unpermitted operator to comply with this ordinance.

(1) Failure to renew a short term rental permit prior to its expiration date renders the expired permit immediately invalid. A short term rental operator who timely files for an application for a short term rental permit shall be considered to be in compliance provided that the operator has submitted payment for both the annual permitting fee and non-refundable application fee in full, that the operator is otherwise acting in good faith to obtain the required approvals, and that the application is eventually approved by the department of planning and development.

(2) The department of planning and development shall provide written renewal notice to each operator not later than sixty (60) days prior to expiration of the short term rental permit. In the event the department of planning and development fails to timely send the renewal notice, then the operator shall have sixty (60) days from the date notice is sent to apply. In the event that the department of planning and development fails to send a renewal notice, then the operator shall have sixty (60) days from the expiration date to apply.

(3) The department of planning and development shall receive, document, review, and maintain any and all complaints for short term rentals. The department of planning and development shall, upon request, furnish copies of complaints about a particular short term rental to any interested parish department, including but not limited to, the board of adjustments, bureau of administrative adjudication, and the parish council.

(4) The operator of a short term rental shall not be relieved from any personal responsibility or personal liability for noncompliance with any applicable law, rule, or regulation pertaining to the use and occupancy of the short term rental, regardless of whether such noncompliance was committed by the owner of the property, the operator, the designated local responsible party, the occupants of the short term rental, or their guests.

(5) St. Tammany Parish Government may issue a notice of violation to any occupant or guest, owner, operator, or designated local responsible party, for failure to comply with this article and all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short term rental. As allowed by law, St. Tammany Parish Government may issue citations for violations of this article, the St. Tammany Parish Code of Ordinances, and any other applicable state or local law.

Sec. 22-594. - Suspension and revocation .

(a) The short term rental permit shall be subject to suspension or revocation upon good cause shown at a hearing conducted by the Bureau of Administrative Adjudication, that the short term rental has engaged in any of the following since issuance of its current short term rental permit:

(1) Failure to comply with the requirements of this article or with applicable provisions of the St. Tammany Parish Code of Ordinances

(2) Refusal and/or failure to remedy building, zoning, or other code violations in accordance with a judicial order.

(3) Any criminal conduct resulting in arrest(s) where the offense occurred on short term rental property by a guest.

(b) Notice, hearing practice and procedures for suspension and revocation hearings by the Bureau of Administrative Adjudication shall follow those set forth in section 2-562, et. seq.

(c) When a short term rental permit is suspended for any legal cause by any lawful authority: no new short term rental permit shall be issued for the same short term rental for a minimum period of sixty-one (61) days, beginning from the first day of the suspension. Suspensions shall last for sixty (60) days from the date the short term rental is suspended. Suspensions shall be reserved for minor or first-time violations. The operator of a suspended short term rental may begin advertising and operating the short term rental under the same permit immediately after the suspension period has concluded.

(d) When a short term rental permit is revoked for any legal cause by any lawful authority: no new short term rental permit shall be issued for the same short term rental for a minimum period of one (1) year and one (1) day, beginning from the first day of the revocation. Revocations shall last for one (1) year from the date the short term rental is revoked. Revocations shall be reserved for major violations or repeated and unresolved minor violations that have previously resulted in suspensions. A short term rental permit with three (3) suspensions in one (1) permitting term shall automatically be revoked, and the revocation time period shall not begin until after the time period for the suspension has concluded. The operator of a revoked short term rental cannot continue to advertise or operate the short term rental until a new permit is obtained after the revocation period has concluded. The operator of a revoked short term rental permit shall surrender the short term rental permit to the department of planning and development forthwith.

(e) To the maximum extent practical, given existing site constraints, short term rentals shall be required to meet all applicable provisions of the St. Tammany Parish Code of Ordinances, and the department of planning and development shall be authorized to inspect a previously suspended or revoked short term rental prior to the re-issuance of a short term rental permit in order to evaluate compliance.

Amend NC-3 Lodging District, specifically Sec. 130-736. - Administrative permits, to add a new:

(4) Short term rentals

Amend NC-4 Neighborhood Institutional District, specifically Sec. 130-760. - Administrative permits, to add a new:

(4) Short term rentals

Amend NC-5 Retail and Service District, specifically Sec. 130-792. - Administrative permits, to add a new:

(4) Short term rentals

Amend NC-6 Public, Cultural and Recreational District, specifically Sec. 130-814. - Administrative permits, to add a new:

(4) Short term rentals

Amend HC-1 Highway Commercial District, specifically Sec. 130-898. - Administrative permits, to add a new:

(9) Short term rentals

Amend HC-2 Highway Commercial District, specifically Sec. 130-919. - Administrative permits, to add a new:

(9) Short term rentals

Amend HC-2A Highway Commercial District, specifically Sec. 130-946. - Administrative permits, to add a new:

(9) Short term rentals

Amend HC-3 Highway Commercial District, specifically Sec. 130-970. - Administrative permits, to add a new:

(9) Short term rentals

Amend HC-4 Highway Commercial District, specifically Sec. 130-1003. - Administrative permits, to add a new:

(9) Short term rentals

Amend HC-5 Highway Commercial District, specifically Sec. 130-1024. - Administrative permits, to add a new:

(9) Short term rentals

Amend TND-1 Traditional Neighborhood Development District, specifically Sec. 130-1459. - Overview, to add short term rentals:

(d) A "mixed residential area" includes a variety of residential land uses, including single-family residential, duplex, townhome, and multi-family. Residential scale retail and commercial uses are permitted within a mixed residential area with strict architectural and land use controls. Retail and commercial uses in a mixed residential area are required to blend into the residential character of the neighborhood. A mixed residential area includes open spaces including small squares, pocket parks, community parks, and greenbelts. A mixed residential area promotes pedestrian activity through well designed and varied streetscapes that also provide for the safe and efficient movement of vehicular traffic. Mixed residential area uses include single-family homes, condominiums, townhomes, apartments, offices, short term rentals, restaurants, neighborhood scale retail, and civic uses. Mixed residential areas often utilize alleys.

Amend TND-2 Traditional Neighborhood Development District, specifically Sec. 130-1510. - Overview, to add short term rentals:

(d) A "mixed residential area" includes a variety of residential land uses, including single-family residential, duplex, townhome, and multi-family. Residential scale retail and commercial uses are permitted within a mixed residential area with strict architectural and land use controls. Retail and commercial uses in a mixed residential area are required to blend into the residential character of the neighborhood. A mixed residential area includes open spaces including small squares, pocket parks, community parks, and greenbelts. A mixed residential area promotes pedestrian activity through well designed and varied streetscapes that also provide for the safe and efficient movement of vehicular traffic. Mixed residential area uses include single-family homes, condominiums, townhomes, apartments, offices, short term rentals, restaurants, neighborhood scale retail, and civic uses. Mixed residential areas often utilize alleys.

Amend Article V, Division 7 - RO Rural Overlay, specifically Sec. 130-1836. - Administrative permits, to add a new:

(12) Short term rentals

Amend Sec. 130-2213 Minimum standards, to add a new:

(58) Short term rentals.

a. Where a short term rental is allowed, the proposed use shall meet the following criteria:

1. An annual short term rental permit must be obtained and renewed each year in accordance with sec. 22-587, et seq.

2. The operator of a short term rental must carry a valid occupational license, as required per chapter 22, article II, et. seq. throughout the duration of the short term rental permitting term.

3. The operator of a short term rental must carry current, valid, general liability coverage, that includes coverage for short term or temporary rentals, of five hundred thousand dollars (\$ 500,000.00) or more, for the subject short term rental, throughout the duration of the short term rental permitting term.

4. A site plan shall be approved by the department of planning and development prior to issuance of a short term rental permit. At a minimum, this plan shall depict a scaled diagram of the short term rental that includes the number of bedrooms, beds, and bathrooms in each short term rental and at least one (1) required off street parking space per rented bedroom.

5. The number of guests who may occupy a short term rental shall not exceed the maximum allowance as determined by the fire marshal and department of planning and development.

6. The operator of a short term rental is not required to be present during the duration of a short term rental guest's visit, but when the operator is off premises, a designated local responsible party, which may be the operator, must be available twenty-four (24) hours a day during any time a guest is occupying the short term rental to respond to complaints from either guests or neighbors and shall be available to appear physically on the premises within sixty (60) minutes to address any issues. The name and contact information for the designated local responsible party, including phone number(s) with area code and email address, shall be located in a conspicuous location within the short term rental so as to be easily accessible for all guests. The operator is responsible for updating both the department of planning and development and guests thereafter if such information regarding the designated local responsible party and/or his or her contact information changes.

7. Short term rentals shall meet all applicable building, health, fire, and related safety codes at all times. An operable hardwired smoke detector(s) and an operable hardwired carbon monoxide detector(s) are required in either individual guest room(s) or adjacent hallways. An operable fire extinguisher is required to be located inside the premises of short term rental.

8. An informational brochure shall be required to be located within the short term rental in a conspicuous location at all times so as to be easily accessible for guests. The brochure shall contain the name and contact information of the designated local responsible party, including phone number(s) with area code and email address, the contact information for the department of planning and development in the event that guests wish to file a complaint or note a violation, the location of the fire extinguisher and a fire evacuation route, parking details, the trash collection procedure and schedule, as well as information regarding the neighborhood and surrounding area, including but not limited to, restrictions on parking, noise, trash, and any other pertinent information of which guests should be aware.

9. The short term rental permit number, the expiration date of the short term rental permit, and the maximum number of guests allowed in the short term rental as determined by the fire marshal and department of planning and development, shall, throughout the duration of the permitting term, be contained in any and all advertisements for the short term rental and displayed within the short term rental in a conspicuous location at all times so as to be easily accessible for guests.

10. Auctions, weddings, receptions, bingo activities, fund-raising events, banquets, luncheons, seminars, conferences, amplified outdoor music, outdoor karaoke, festivals, commercial functions, and any other similar events are prohibited from occurring at any short term rental.

11. Short term rental operators shall maintain all registration records to include the name, method of payment, and transaction amount of every person who purchases a room in the short term rental for any period of time, including, without limitation, third party rental services(e.g. Airbnb.com, Expedia.com, vrbo.com, etc.), for a minimum of three (3) years from the date of the occupants' departure, and shall be subject to audits by the St. Tammany Parish Sheriff's Office in accordance with applicable laws.

b. Nothing in this section is intended to apply to or prohibit the long-term rental of a dwelling unit for thirty (30) consecutive days or more and where typically the method of rental involves an extended period of time.

c. Nothing in this section is intended to apply to or prohibit the lease, rental, occupancy, or use of a property that is under a pending contract for sale, where the lessee(s) and lessor(s) are parties to the pending sale of said property.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective six (6) months after adoption.

MOVED FOR ADOPTION BY: MR. STEFANCIK BY: MR. M. SMITH

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: DEAN, FITZGERALD, LORINO, TOLEDANO, TANNER, DAVIS, CANULETTE, M. SMITH, O'BRIEN, STEFANCIK, BINDER, AIREY, T. SMITH (13)

NAYS: (0)

ABSTAIN: (0)

ABSENT: CAZAUBON (1)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 8 DAY OF JULY, 2021; AND BECOMES ORDINANCE COUNCIL SERIES NO 21-4593.


MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:


KATRINA L. BUCKLEY, COUNCIL CLERK


MICHAEL B. COOPER, PARISH PRESIDENT

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