

MEMORANDUM



CITY OF MARCO ISLAND Code Compliance

Date: March 25, 2008
To: Steve Olmsted, Community Development Director
cc: Rental Housing Committee
From: Eric Wardle, Chief of Code Compliance
Re: Recommendations

RESORT DWELLING REGULATIONS

Attached are some recommendations concerning the rental of single family homes. The current State Definition of Resort Dwelling would apply.

To summarize the recommendations are:

- 1) Each Resort Dwelling should register with the City and pay a fee.
- 2) Resort Dwellings shall re-new the registration annually.
- 3) There will be a list of regulations which the Resort Dwellings must comply with as well as all local, county and state codes.
- 4) There should be a maximum number of persons per bedroom.
- 5) There will be penalties for violations of the regulations
 - fines
 - suspension of registration
 - revocation of registration

Advantages

- Identification of rental properties within the City.
- Method to enforce regulations.
- Contact information in the event of an emergency.
- Source of revenue to cover administrative costs.

Disadvantages

- Additional duties for staff.
- Lack of resources (staff) to inspect and monitor homes.
- Overregulation.
- Additional fees and costs for the real estate industry.

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Discussion

Due to the slow real estate market the number of short term rentals seems to have increased and the numbers of complaints have also increased. The biggest disadvantage I see is the possible need for fire inspections. The Fire Dept. has indicated they may not have the resources to conduct annual inspections. If the Fire inspections are required by law, this would be an obstacle due to the lack of resources.

One solution would be to allow the City the right to conduct inspections without making the inspections mandatory. This would allow us to respond to complaints or conduct random inspections.

Another solution would be to change the definition of resort dwelling so it will not require state licensing and as a result not require mandatory inspections. Although, given the State definition of Resort Dwelling I don't know how that would be possible and still meet our needs.

I have attached some recommended language for a City Code.