



Plantation  
the grass is greener®

# City of Plantation Vacation Rental Information Packet



# Emergency Information



## Police

Welcome to the City of Plantation. During your stay, should you need to contact the Plantation Police Department, please find the City’s non-emergency and emergency numbers below:

Non-Emergency..... 954-797-2100

**Emergency ..... 911**

## 9-1-1 Needs to Know Where You Are!

Know your Location! When dialing 9-1-1 it is important to know this piece of information more than anything else. No matter what is occurring, without a location we cannot send you help. There is a lot of technology in place to assist 9-1-1 centers in locating you; however, in a situation where seconds can save lives, having your location readily available can be the difference between seconds and minutes.

The following can help 9-1-1 Call Takers determine your location:

- ◆ Full address of location
- ◆ Cross streets or intersections
- ◆ Address number on a building or structure
- ◆ Names of landmarks, businesses, complexes, etc.
- ◆ Address of nearby location (across the street, next door, etc.)

## Hospitals

The City of Plantation has two hospitals located within the City limits. The names, phone numbers and addresses of these hospitals is provided below (see attached map for the locations of the hospitals).

**HCA Florida Plantation Emergency** ..... 954-587-5010  
401 NW 42 Avenue, Plantation, FL 33317

**HCA Florida Westside Hospital** ..... 954-473-6600  
8201 W Broward Boulevard, Plantation, FL 33324

## Emergency Evacuation Requirements



NOTICE: Pursuant to Section 14-248(4) of the Code of Ordinances of the City of Plantation, all occupants of a Vacation Rental shall be required to promptly evacuate from the Vacation Rental upon the posting of any evacuation order issued by the state or local authorities.

## Maximum Occupancy Standards



The maximum occupancy of a Vacation Rental shall be the lessor of (1) or (2) below:

- (1) The maximum number of occupants authorized to stay overnight at any Vacation Rental shall be limited to two (2) persons per bedroom; or
- (2) A total of eight (8) occupants per Vacation Rental, however, in the event there is more than one building or dwelling on one (1) platted lot, the maximum occupancy shall be capped at eight (8) occupants per lot or structure, whichever is less.

The maximum number of persons allowed to gather at or occupy a Vacation Rental shall not exceed one and one-half (1½) times the maximum occupants authorized to stay overnight at that site, as shown on the registration for the Vacation Rental.

Up to four (4) persons under thirteen (13) years of age are exempt from and shall not count toward the occupancy limits set in forth above.

## Off-street Parking Regulations



The maximum number of vehicles that will be allowed to park at a Vacation Rental shall not exceed the number of off-street parking spaces located at the Vacation Rental. On-street parking shall be prohibited.

For your convenience, your Vacation Rental owner has posted and/or attached a sketch or picture showing the location that you are permitted to park.

# Garbage & Recycling Pick-up



## Solid Waste Guidelines

All City of Plantation single-family and multi-family households with less than five units, with the exception of Plantation Acres, Maleleuca Isles, Lago Largo, and Hawks Landing, are required to use approved blue bags for the disposal of residential solid waste. Only Plantation Acres, Maleleuca Isles, Lago Largo and Hawks Landing are permitted to use rollout carts, provided by Waste Management, for the curbside collection of household garbage and recyclables.

Collection of solid waste is provided two (2) times per week, with no service on Sunday or Christmas Day. Solid waste and recyclable materials must be placed curbside prior to 7:00 AM on collection day. Rollout carts need to be removed from curbside by midnight of collection day. On regular collection days, yard waste will be removed if tied in bundles not exceeding 6 feet and 50 lbs. Christmas trees are excluded from this bundling and weight limitation and will be collected by the contractor. Yard waste bundles need to be placed with your blue bags. Leaves and smaller yard waste will also be picked up on regular collection days if placed in approved clear bags. A blue bag needs to be tied to each clear bag.

## Recycling Guidelines

Recyclables need to be placed in approved clear recycling bags, or in approved rollout carts (for cart households) for curbside collection. All recyclable materials should be placed together in the same container. Recyclables should be clean and free of all food and residue before placing them in the recyclable bags/carts.

### Recyclable materials include:

- ◆ Plastic bottles (e.g. used for soda, milk, water, detergents, shampoos, etc.). Caps must be removed.
- ◆ Paper products (e.g. newspapers, newspaper inserts, junk mail, catalogs, office paper, soft covered books, folders, cereal boxes, etc.).
- ◆ Glass containers (except blue glass) used for food, beverage or other uses.
- ◆ Cardboard boxes that are flattened (e.g. used for storage or shipping). No pizza boxes.
- ◆ Aluminum, steel, and tin cans.

### Not Recyclable:

- ◆ Food scraps and household garbage.
- ◆ Pizza boxes and similar materials contaminated by food.
- ◆ Blue glass.
- ◆ Toys, cups, plastic bags and other miscellaneous plastics.
- ◆ Household hazardous waste, such as batteries, paint, or tires.
- ◆ Electronic materials.

The City provides a location where residents may dispose of recyclables on their own, 24 hours per day, 7 days per week:

### Drop Off Recycling Center

Plantation Public Works  
750 NW 91 Avenue  
Plantation, FL 33324  
Tel: (954) 452-2535

## Horticultural Recycling Center (HRC)

Residents may dispose of natural foliage, such as tree branches, palm fronds, bushes, hedges and grass clippings at this location. We do not accept materials from commercial vehicles, since this is for residential purposes only. This is available for Plantation residents only, proof of residency will be required.

### Location:

Plantation Public Works  
750 NW 91 Avenue  
Plantation, FL 33324  
Tel: (954) 452-2535

### Hours of operation are:

Monday – Friday  
7:00 AM - 4:00 PM  
Closed on City holidays

### LOAD FEES – cash only:

Bags of leaves, grass clippings .....	Free
Automobile.....	\$5 minimum
Pick-up Truck, Van or Trailer .....	\$10 minimum

*Note: HRC fees based on minimum, plus assessment based on volume of load.*

# Bulk & Yard Waste Collection – West of University Drive

## 2023 BULK & YARD WASTE COLLECTION SCHEDULE: PLANTATION WEST

### BULK WASTE

#### Single Family - Once monthly

Bulk should be placed curbside on the day before collection, however, if necessary, bulk may be placed curbside as early as the Saturday before collection. Items placed curbside outside of the designated collection schedule will be subject to violation and will not be picked up.

Bulk trash includes large household trash that does not fit in rollout carts or bags. **No black bags will be collected with bulk.**

#### Acceptable bulk items include:


- Furniture, mattresses, white goods (washer, dryer, etc.), appliances, refrigerators (with freon removed), carpets & padding, yard waste in clear bags, tree branches, & other yard waste.

For a detailed listing of acceptable items please visit [Plantation.org](http://Plantation.org).

The loose items such as carpeting, etc.. Place glass in a rigid container that can be lifted safely. Keep solid waste blue bags separate from bulk waste.

**Do not** place bulk near mailboxes, power poles, on storm drains, under trees, etc., to allow for easy collection.

**15 CUBIC YARDS**



Residents are permitted a **maximum of 15 cubic yards** in total of bulk waste combined to place out for collection.

To schedule a special bulk pickup contact WM at (954) 974-7500.

**Multi-family Condominium Households** - Four collections per year  
Multi-family households with more than 4 units receive **FOUR** bulk collections per year:

**MARCH 2023**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**SEPTEMBER 2023**

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**JUNE 2023**

S	M	T	W	T	F	S
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3	4	5	6	7	8	9
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**DECEMBER 2023**

S	M	T	W	T	F	S
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24	25	26	27	28	29	30
31						

### HOUSEHOLD HAZARDOUS WASTE (HHW) & ELECTRONICS RECYCLING

**Household Hazardous Waste (HHW)** includes paint, batteries, tires and similar materials. **Electronic Materials** include computers, computer monitors, televisions, printers, scanners, and similar devices. Neither HHW nor Electronic Materials are collected as solid waste, recyclable, or bulk trash.

The City offers four quarterly drop-off events, which allow residents to dispose of these materials. This is available for Plantation residents only, proof of residency will be required.

#### HHW Drop Off Events

City of Plantation Public Works Compound  
750 NW 91st Ave., Plantation, FL 33324

Time: 9:00 am – 1:00 pm

Date: Please refer to the City of Plantation website at [www.plantation.org](http://www.plantation.org); or call the City of Plantation Public Works Department at 945-452-2535.

#### Alternative Waste Disposal Sites

Plantation residents can drop off HHW, Yard Waste, Bulk and Electronic Materials two locations:

**Wheelabrator South Facility**  
4400 South State Road 7, Davie, FL 33314

Time: 8:00 am – 3:00 pm

Date: Please refer to the City of Plantation website at [www.plantation.org](http://www.plantation.org); or call the City of Plantation Public Works Department at 945-452-2535.

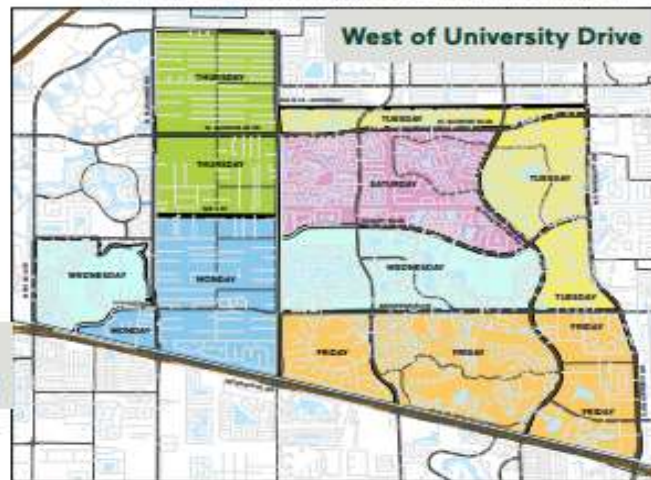
**Urban Mining** - Accepts Electronic Materials on a limited basis.

3983 NW 19 St., Lauderdale Lakes, FL 33311

Time: 12:00 pm – 2:00 pm

Date: Fridays ONLY.

Please contact Urban Mining at (954) 906-1609 for additional information.



## Plantation WEST Bulk Collection 2023 Schedule

West of University Drive - See map for your area's collection days. Please refer to the schedule below for your bulk collection. Your collection day of the week is shown in the map.

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
JANUARY 9	JANUARY 10	JANUARY 11	JANUARY 12	JANUARY 13	JANUARY 14
FEBRUARY 13	FEBRUARY 14	FEBRUARY 15	FEBRUARY 16	FEBRUARY 17	FEBRUARY 18
MARCH 13	MARCH 14	MARCH 15	MARCH 16	MARCH 17	MARCH 18
APRIL 10	APRIL 11	APRIL 12	APRIL 13	APRIL 14	APRIL 15
MAY 8	MAY 9	MAY 10	MAY 11	MAY 12	MAY 13
JUNE 12	JUNE 13	JUNE 14	JUNE 15	JUNE 16	JUNE 17
JULY 10	JULY 11	JULY 12	JULY 13	JULY 14	JULY 15
AUGUST 14	AUGUST 15	AUGUST 16	AUGUST 17	AUGUST 18	AUGUST 19
SEPTEMBER 11	SEPTEMBER 12	SEPTEMBER 13	SEPTEMBER 14	SEPTEMBER 15	SEPTEMBER 16
OCTOBER 9	OCTOBER 10	OCTOBER 11	OCTOBER 12	OCTOBER 13	OCTOBER 14
NOVEMBER 13	NOVEMBER 14	NOVEMBER 15	NOVEMBER 16	NOVEMBER 17	NOVEMBER 18
DECEMBER 11	DECEMBER 12	DECEMBER 13	DECEMBER 14	DECEMBER 15	DECEMBER 16



City of Plantation Contact Information  
 Public Works (954) 452-2535    Wheelabrator (954) 581-6606  
 Code Enforcement (954) 797-2267    Urban Mining (954) 906-1609  
 Utility Billing (954) 797-2290    [PLANTATION.ORG](http://PLANTATION.ORG)

If you have any questions about your service, please call WM at (954) 974-7500.



# Bulk & Yard Waste Collection – East of University Drive

## 2023 BULK & YARD WASTE COLLECTION SCHEDULE: PLANTATION EAST

### BULK WASTE

#### Single Family - Once monthly

Bulk should be placed curbside on the day before collection, however, if necessary, bulk may be placed curbside as early as the Saturday before collection. Items placed curbside outside of the designated collection schedule will be subject to violation and will not be picked up.

Bulk trash includes large household trash that does not fit in rollout carts or bags. **No black bags will be collected with bulk.**

#### Acceptable bulk items include:

- Furniture, mattresses, white goods (washer, dryer, etc.), appliances, refrigerators (with fracon removed), carpets & padding, yard waste in clear bags, tree branches, & other yard waste.

For a detailed listing of acceptable items please visit [Plantation.org](http://Plantation.org).

Tie loose items such as carpeting, etc. Place glass in a rigid container that can be lifted safely. Keep solid waste blue bags separate from bulk waste.

**Do not** place bulk near mailboxes, power poles, on storm drains, under trees, etc., to allow for easy collection.



Residents are permitted a **maximum of 15 cubic yards** in total of bulk waste combined to place out for collection.

To schedule a special bulk pickup contact WM at (954) 974-7500.

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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

#### SEPTEMBER 2023

S	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

#### JUNE 2023

S	M	T	W	T	F	S
			1	2	3	
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31						

## Plantation EAST Bulk Collection 2023 Schedule

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Please refer to the schedule below for your bulk collection.  
Your collection day of the week is shown in the map.

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
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FEBRUARY 6	FEBRUARY 7	FEBRUARY 8	FEBRUARY 9	FEBRUARY 10	FEBRUARY 11
MARCH 6	MARCH 7	MARCH 8	MARCH 9	MARCH 10	MARCH 11
APRIL 3	APRIL 4	APRIL 5	APRIL 6	APRIL 7	APRIL 8
MAY 1	MAY 2	MAY 3	MAY 4	MAY 5	MAY 6
JUNE 5	JUNE 6	JUNE 7	JUNE 8	JUNE 9	JUNE 10
JULY 3	JULY 4	JULY 5	JULY 6	JULY 7	JULY 8
AUGUST 7	AUGUST 8	AUGUST 9	AUGUST 10	AUGUST 11	AUGUST 12
SEPTEMBER 4	SEPTEMBER 5	SEPTEMBER 6	SEPTEMBER 7	SEPTEMBER 8	SEPTEMBER 9
OCTOBER 2	OCTOBER 3	OCTOBER 4	OCTOBER 5	OCTOBER 6	OCTOBER 7
NOVEMBER 6	NOVEMBER 7	NOVEMBER 8	NOVEMBER 9	NOVEMBER 10	NOVEMBER 11
DECEMBER 4	DECEMBER 5	DECEMBER 6	DECEMBER 7	DECEMBER 8	DECEMBER 9

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Date: Please refer to the City of Plantation website at [www.plantation.org](http://www.plantation.org); or call the City of Plantation Public Works Department at 945-452-2535.

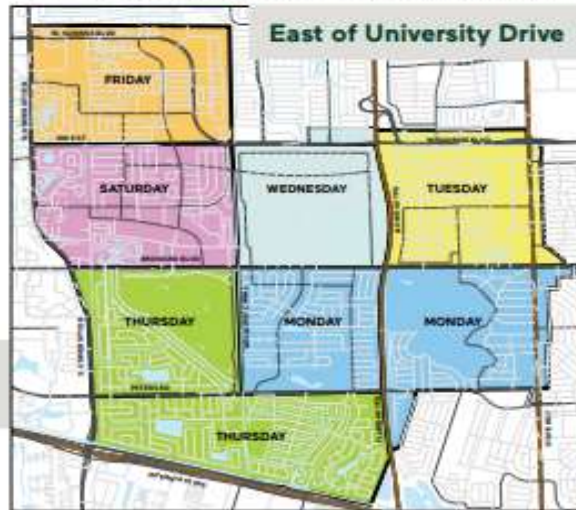
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3983 NW 19 St., Lauderdale Lakes, FL 33311

Time: 12:00 pm - 2:00 pm

Date: Fridays ONLY.

Please contact Urban Mining at (954) 906-1609 for additional information.



#### City of Plantation Contact Information

Public Works	(954) 452-2535	Wheelabrator	(954) 581-6806
Code Enforcement	(954) 797-2267	Urban Mining	(954) 906-1609
Utility Billing	(954) 797-2290	PLANTATION.ORG	

If you have any questions about your service, please call WM at (954) 974-7500.





# Noise Ordinance Standards



Vacation rental properties must be equipped with a noise level detection device, which shall be capable of detecting noise levels audible outside of the dwelling, potentially affecting the surrounding community.

Vacation Rental occupants shall abide by Chapter 16 of the Code of Ordinances of the City of Plantation, which prohibits unreasonably loud, excessive, unnecessary, or offensive sound. Outdoor amplified sounds exceeding the City's sound standards shall not be permitted during the times specified by Ordinance.

Pursuant to Chapter 16, the sound from any activity or from any permissible use of property within a residential zoning district of the city, except sound caused by the operation of the motor of a motor vehicle or the operation of air-conditioning or air-handling equipment, shall be excessive, unnecessary or offensive if it exceeds the following sound levels:

- ◆ At no point on the boundary of, or within an area used, for single-family residential property may the following sound pressure levels be exceeded.

Day: 55 dBA.                      Night: 50 dBA.

- ◆ At no point on the boundary of, or within an area used, for multi-family residential property may the following sound pressure levels be exceeded.

Day: 60 dBA.                      Night: 55 dBA.

*Note: Day refers to the time between 7:00 AM and 10:00 PM and night refers to the time between 10:00 PM and 7:00 AM.*

# Public Nuisance Laws & Regulations



All occupants of a Vacation Rental facility shall abide by all applicable state and local public nuisance laws and ordinances including, but not limited to, Sections 823.05 and 823.10. Florida Statutes, which prohibit any place or premises from being used as the site for the unlawful sale or delivery of controlled substances, prostitution, youth and gang activities, gambling, illegal sale or consumption of alcoholic beverages, or lewd or lascivious behavior that adversely affects the public, safety, morals, and welfare.





Plantation  
the grass is greener®

# Vacation Rental Ordinance

ORDINANCE NO. 2023-002

1  
2  
3 AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA,  
4 PERTAINING TO THE SUBJECT OF BUSINESS REGULATIONS;  
5 AMENDING CHAPTER 14, ARTICLE V, OF THE CODE OF  
6 ORDINANCES, ENTITLED "VACATION RENTALS"; PROVIDING FOR  
7 CODIFICATION; PROVIDING FOR SEVERABILITY, PROVIDING A  
8 SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING  
9 FOR AN EFFECTIVE DATE.

10  
11 WHEREAS, the City of Plantation ("City") desires to amend the vacation rental  
12 regulations to update them by establishing additional criteria to protect the public health and safety  
13 of the City's residential neighborhoods while maintaining consistency with State Law; and  
14

15 WHEREAS, the City Council of the City considered adoption of the proposed  
16 amendments at duly noticed public hearings on January 11, 2023 and January 25, 2023; and  
17

18 WHEREAS, the Director of Planning, Zoning and Economic Development has reviewed  
19 the item and determined that the approval of the ordinance maintains the integrity of the Code of  
20 Ordinances and is consistent with the Goals, Objectives and Policies of the City Comprehensive  
21 Plan as amended; and  
22

23 WHEREAS, notice of the proposed amendment has been published in accordance with  
24 Section 166.041 of the Florida Statutes; and  
25

26 WHEREAS, the City Council desires to approve and adopt the amendments to the City  
27 Code of Ordinances and repeal any inconsistent provisions and regulations; and  
28

29 WHEREAS, the City Council finds the amendments to the vacation rental regulations to  
30 be in the best interests of the public.  
31

32 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
33 PLANTATION, FLORIDA, THAT:  
34

35 SECTION 1: The foregoing recitals are hereby ratified and confirmed as being true and correct  
36 and are hereby made a part of this Ordinance.  
37

38 SECTION 2: Chapter 14, Article V of the Code of Ordinances, entitled "Vacation Rentals", is  
39 hereby amended, as noted in Exhibit A.  
40

41 SECTION 3: It is the intention of the City Council of the City that the provisions of this  
42 Ordinance shall become and be made a part of the Code of Ordinances of the City. The Sections  
43 of this Ordinance may be re-numbered, re-lettered and the word "Ordinance" may be changed to  
44 "section" "article", or other such word or phrase in order to accomplish such intention.  
45

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46 **SECTION 4:** Should any section, paragraph, sentence, clause, phrase, or other part of this  
47 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not  
48 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part  
49 so declared to be invalid.

50

51 **SECTION 5:** If any ordinances, or parts of ordinances, or if any sections, or parts of sections, of  
52 the Ordinances of the City, are in conflict herewith, this Ordinance shall control to the extent of  
53 conflicting provisions.

54

55 **SECTION 5:** This Ordinance shall be liberally construed to accomplish its purpose of regulating  
56 vacation rentals, protecting the residential character of the City, the health, safety, and general  
57 welfare of its residents and visitors, and the quiet enjoyment by Plantation's residents of their  
58 residential property.

59

60 **SECTION 6:** In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-  
61 section(s), or section(s) of this Ordinance, is contrary to law, or against public policy, or shall for  
62 any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent  
63 jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of  
64 this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and  
65 independent provision from the remaining provisions of this Ordinance, and such holding shall in  
66 no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-  
67 sections, or sections of this Ordinance, which shall remain in full force and effect. This Ordinance  
68 shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes  
69 of this Ordinance as expressed herein.

70

71 **SECTION 7:** This Ordinance shall take effect immediately upon passage on Second Reading by  
72 the City Council and signature of the Mayor.

73

74 PASSED ON FIRST READING by the City Council this 11 day of January, 2023.

75

76 PASSED AND ADOPTED ON SECOND READING by the City Council this 25 day of  
77 January, 2023.

78

79 SIGNED by the Mayor this 25 day of January, 2023.

80



MAYOR

81

82 ATTEST:

83



84

CITY CLERK

(00547477.2 2007-0000000)

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89  
90

APPROVED    DATE

REQUESTED BY: \_\_\_\_\_

DEPT. OK: \_\_\_\_\_

ADMIN. OK: \_\_\_\_\_

ATTY. OK: \_\_\_\_\_

AS TO FORM ONLY

91 RECORD ENTRY:

92

93 I HEREBY CERTIFY that the Original of the foregoing signed Ordinance No. 2023-002 was received  
94 by the Office of the City Clerk and entered into the Public Record this 25 day of  
95 January, 2023.

96

97

  
April Beggerow, City Clerk

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EXHIBIT "A"

~~ARTICLE V. VACATION RENTALS~~ ARTICLE V - VACATION RENTALS

~~DIVISION 1. IN GENERAL~~ DIVISION 1 – GENERAL PROVISIONS

~~Sec. 14-200. Authority, scope and purpose.~~ Section 14-200 - Authority, Scope and Purpose

This Article is enacted under the home rule power of the City of Plantation in the interest of the public health, peace, safety and general welfare.

In 2014, the Florida Legislature passed Senate Bill 356 (Chapter 2014-71, Laws of Florida), which amended Florida Statutes, Subsection 509.032(7) (b) to read "[a] local law, ordinance, or regulation may not prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011." The official statement of legislative intent of Senate Bill 356 as reflected in the House of Representatives' Final Bill Analysis, dated June 19, 2014, states that the "Effect of the Bill" is as follows:

"The bill permits local governments to create regulation that distinguishes vacation rentals from other residential property. In the past, local government regulations have included noise, parking, registration, and signage requirements for vacation rentals.

The bill does not allow local governments to create regulations that would prohibit vacation rentals or restrict the duration or frequency of vacation rentals. These types of regulation remain preempted to the Sstate.

The grandfather provision in existing law exempting any local law, ordinance, or regulation adopted on or before June 1, 2011, is maintained. Any local law, ordinance, or regulation passed before that date that prohibits or restricts vacation rentals based on the duration or frequency may continue to be enforced."

Prior to 2011, the Ceity zoning code defined a "family" for purposes of its residential zoning in a manner that restricted to three (3) the number of "unrelated" persons who could reside in a dwelling unit which enjoyed residential zoning. In enacting the provisions of this Article, the City is in part liberalizing its regulation and increasing the number of unrelated persons which could be transient occupants of vacation rental dwelling units, in light of the apparent policy interests

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170 furthered by Chapter 2014-71, Laws of Florida, and in light of the regulation of other  
171 municipalities on this subject.

172  
173 This Article does not prohibit vacation rentals, or regulate the duration or frequency of vacation  
174 rentals, rather this Article is intended to address life safety and compatibility concerns in the  
175 interests of the public health, peace, safety, and general welfare.

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177

178 **Sec. 14-201. — Findings of facts. Section 14-201 - Findings of Facts**

179  
180 Based on information presented at various Ceity Ceouncil meetings, information from the U.S.  
181 Census, and the ~~Short-Term Rental Housing Restrictions White Paper~~ Short-Term Rental Housing  
182 Restrictions White Paper, prepared by Robinson & Cole, LLP, Attorneys at Law, in 2011, prepared  
183 for the National Association of Realtors, the Ceity Ceouncil finds:

- 184
- 185 (1) Residents residing within their ~~residential~~ dwellings are inherently familiar with the local  
186 surroundings, ~~local~~ weather disturbances, ~~local~~ hurricane evacuation plans, and explicit  
187 means of egress from their ~~residential dwellings~~ residences, thereby minimizing potential  
188 risks to themselves and their families.
  - 189
  - 190 (2) In contrast, there are increased risks that transient occupants of vacation rentals, due to  
191 their ~~transient~~ temporary nature, may not be as familiar with such as local surroundings,  
192 ~~local~~ weather disturbances, ~~local~~ hurricane evacuation plans, and evident means of egress  
193 from the vacation rentals in which they are staying, thereby increasing potential risks,  
194 and creating potential increased burdens on, and potentially putting at risk, emergency  
195 personnel in the event of an emergency situation.
  - 196
  - 197 (3) According to the 2012-16 U.S. Census estimates, the City of Plantation ~~has had~~ has had an  
198 average household size of 2.69 persons.
  - 199
  - 200 (4) According to the 2010 U.S. Census, the City of Plantation ~~has previously had~~ has previously had an average  
201 family size of 2.2 persons.
  - 202
  - 203 (5) Vacation rentals which have occupancies significantly in excess of the historical norms  
204 experienced in Plantation can create negative impacts within residential neighborhoods  
205 due to increased noise, additional needs for off-street parking, increased traffic, and  
206 increased potential for impacts on public services.
  - 207
  - 208 (6) Vacation rentals situated within residential neighborhoods, if left unregulated, can  
209 disturb the quiet nature and atmosphere of the residential neighborhoods, and the quiet  
210 enjoyment of its residents.
  - 211
  - 212 (7) A ~~residential dwelling~~ residence is typically the single largest investment a family will  
213 make with the residents of the ~~residential~~ dwelling desiring tranquility and peaceful  
214 enjoyment of their neighborhood.

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- (8) Under the City's pre-2011 regulatory scheme, a residential dwelling unit could be rented to three (3) or more transients (as defined herein) who are all "related" (as contemplated by the definition of "Family" in Section ~~27-1~~ 27-11 of this Code), and, the numerical occupancy limits of this Article are intended to create additional practical and compatible limits to such transient occupancy that promote the public interest and improve the City's regulatory scheme. By the same token, in the pre-2011 regulatory scheme when all transients are not "related", as applied to the context of vacation rentals and in light of the additional regulation of this Article and State law, it is perceived as too restrictive.
- (9) The presence of on-site management may assist in mitigating the negative impacts of vacation rentals.
- (10) Owner-occupied (i.e., "Hosted") short-term rentals, in which the owner is present on the premises for the duration of the rental, generally do not have the same effect on the community as articulated in paragraphs 5 and 6, *supra supra*.

**Sec. 14-202. Definitions. Section 14-202 - Definitions**

Except as expressly provided otherwise, the terms defined in Chapter 509, Florida Statutes, shall enjoy the same definition in this Article. The following terms as used in this Article are defined as set forth hereinafter:

Ambient Noise means the composite of existing noise from all sources at a given location and time. Ambient noise is sometimes referred to as background noise.

Bedroom means any room in a vacation rental of at least 70 square feet in area, which has a bed or other place for sleeping with a closet that is an integral part of the permanent construction within the bedroom or with an in-suite bathroom, and which complies with the Florida Fire Code, Florida Building Code (FBC), and Florida Life Safety Code requirements for a bedroom. A bedroom must have a means of egress to the outside of the home. A bathroom, a kitchen, a dining room, or a main living area is not considered a bedroom. ~~If a room has been added, altered, or converted without any required building permit having been granted, such room shall not be deemed a bedroom.~~

Hosted Short-term or Vacation Rental means any unit in a condominium or cooperative or any individually-owned, single-family, two-family, three-family, or four-family house or dwelling unit which:

- (i) is rented to transients more than three times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to transients;
- (ii) is occupied by the vacation rental owner; and
- (iii) has a vacation rental owner or tenant on site during the rental. In the event that an entity owns the owner-occupied, short-term rental, occupancy by the vacation rental owner may be satisfied if the property is occupied by the president, manager, managing partner, or

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260 other individual having unrestricted control over the operations of the owner entity. In  
261 the event that a trust owns the owner-occupied, short-term rental, occupancy by the  
262 vacation rental owner may be satisfied if the property is occupied by a beneficiary of the  
263 trust.

264  
265 Life Safety Violation means that the existing conditions of a property are inconsistent with the  
266 ability to control and prevent fire and other life-threatening conditions on a premises for the  
267 purpose of preserving human and animal life.

268  
269 Noise Level Detection Device means any instrument, including a microphone, amplifier, output  
270 meter, and frequency weighting network, for the measurement of noise and sound levels in a  
271 specific manner and that complies with standards established by the American National Standards  
272 Institute (ANSI) specifications for sound level meters.

273  
274 Non-Hosted Short-term or Vacation Rental means any unit in a condominium or cooperative or  
275 any individually-owned, single-family, two-family, three-family, or four-family house or dwelling  
276 unit which:

277 (iv) is rented to transients more than three times in a calendar year for periods of less than  
278 thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or  
279 held out to the public as a place regularly rented to transients;

280 (v) is not occupied by the vacation rental owner; and

281 (vi) does not have a vacation rental owner or tenant on site during the rental. In the event that  
282 an entity owns the owner-occupied, short-term rental, occupancy by the vacation rental  
283 owner may be satisfied if the property is occupied by the president, manager, managing  
284 partner, or other individual having unrestricted control over the operations of the owner  
285 entity. In the event that a trust owns the owner-occupied, short-term rental, occupancy  
286 by the vacation rental owner may be satisfied if the property is occupied by a beneficiary  
287 of the trust.

288  
289 Occupant(s) means any person(s) who pays to occupy a vacation rental overnight. There is a  
290 rebuttable presumption that all individuals who are not the family, as defined in Section 27-11 of  
291 the City Code, of the vacation rental owner are occupants as defined herein. The presumption may  
292 only be overcome by clear and convincing evidence presented by the vacation rental owner.

293  
294 On-site Management means an office located at the site of a transient public lodging  
295 establishment that has, no less than eight (8) hours per day, seven (7) days a week, a person or  
296 persons physically present on site for purposes of supplying management, rental, and/or  
297 maintenance services for that particular transient public lodging establishment, and, when the  
298 office is closed, has a person who is available upon one (1) hour's phone notice to return to the  
299 transient public lodging establishment to supply management or maintenance services.

300  
301 Overnight means all or any portion of the time period from 10:00 p.m. until 7:00 a.m. the following  
302 day.

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304 ~~Owner-occupied short-term rental means any unit in a condominium or cooperative or any~~  
305 ~~individually owned single-family, two-family, three-family, or four-family house or dwelling unit~~  
306 ~~which (i) is rented to transients more than three times in a calendar year for periods of less than~~  
307 ~~thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to~~  
308 ~~the public as a place regularly rented to transients; (ii) is occupied by the vacation rental owner;~~  
309 ~~and (iii) has a vacation rental owner or tenant on site during the rental. In the event that an entity~~  
310 ~~owns the owner-occupied short-term rental, occupancy by the vacation rental owner may be~~  
311 ~~satisfied if the property is occupied by the president, manager, managing partner, or other~~  
312 ~~individual having unrestricted control over the operations of the owner entity. In the event that a~~  
313 ~~trust owns the owner-occupied short-term rental, occupancy by the vacation rental owner may be~~  
314 ~~satisfied if the property is occupied by a beneficiary of the trust.~~

315  
316 Transient means when an individual or group of people are temporarily residing at a residence that  
317 they do not own.

318  
319 ~~Vacation rental means any unit or group of units in a condominium or cooperative or any~~  
320 ~~individually or collectively owned single-family, two-family, three-family, or four-family house~~  
321 ~~or dwelling unit which (i) is rented to transients more than three times in a calendar year for periods~~  
322 ~~of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or~~  
323 ~~held out to the public as a place regularly rented to transients; and (ii) is also a transient public~~  
324 ~~lodging establishment as defined in Chapter 509, Florida Statutes, but is not a timeshare project~~  
325 ~~regulated by Chapter 721, Florida Statutes. An owner-occupied short-term rental shall not be~~  
326 ~~treated as a vacation rental pursuant to this Article, unless expressly provided for herein.~~

327  
328 Vacation Rental means any unit or group of units in a condominium or cooperative or any  
329 individually-owned or collectively-owned, single-family, two-family, three-family, or four-family  
330 house or dwelling unit which:

- 331  
332 (i) is rented to transients more than three times in a calendar year for periods of less than thirty  
333 (30) days or one (1) calendar month, whichever is less, or which is advertised or held out  
334 to the public as a place regularly rented to transients; and  
335 (ii) is also a transient public lodging establishment as defined in Chapter 509, Florida Statutes,  
336 but is not a timeshare project regulated by Chapter 721, Florida Statutes.

337  
338 ~~Vacation rental agent means an authorized designee of the vacation owner as identified in the~~  
339 ~~application for a city vacation rental license.~~

340  
341 Vacation Rental Agent means an authorized designee of the vacation rental owner as identified in  
342 the application for a City vacation rental registration.

343  
344 ~~Vacation rental owner is the fee simple owner of the real property which is used as a vacation~~  
345 ~~rental or owner-occupied short-term rental, whether such owner is an individual, partnership,~~  
346 ~~corporation, limited liability company, trust, or other entity.~~

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348 Vacation Rental Owner is the fee-simple owner of the real property which is used as a vacation  
349 rental or hosted short-term rental, whether such owner is an individual, partnership, corporation,  
350 limited liability company, trust, or other legal entity.

351

352

353 **Sec. 14-203. — Enforcement, penalties, and revocation.**

354

355 ~~(a) — Violations of this Article may be enforced in accordance with the provisions of Chapter~~  
356 ~~6, Code Enforcement of this Code of Ordinances.~~

357

358 ~~(b) — In the event the City chooses to use the Supplemental Code Enforcement Procedures~~  
359 ~~set forth in Article II of Chapter 6 of this Code, the first Civil Violation Ticket shall~~  
360 ~~bear a fine in an amount of Two Hundred Dollars (\$200.00) if uncontested or Three~~  
361 ~~Hundred Dollars (\$300.00) if contested. For repeat Civil Violation Tickets, the first~~  
362 ~~shall be Four Hundred Dollars (\$400.00) if uncontested or Five Hundred Dollars~~  
363 ~~(\$500.00) if contested.~~

364

365 ~~(c) — The City may also seek to enforce the provisions of this Article using any other means~~  
366 ~~available to a Florida municipal corporation in enforcing local law, including those~~  
367 ~~means set forth in Sections 1-13, 1-14 and 21-80 et seq. of this Code.~~

368

369 ~~(d) — Any certificate of compliance issued pursuant to this article may be denied, revoked,~~  
370 ~~or suspended by the Director of Planning Zoning and Economic Development upon the~~  
371 ~~adjudication by the City's Special Magistrate or a court of competent jurisdiction of a~~  
372 ~~violation of this article, any city ordinance, or state law by the vacation rental owner~~  
373 ~~for which the certificate of compliance is issued. Such denial, revocation or suspension~~  
374 ~~is in addition to any penalty provided herein.~~

375

376 ~~(e) — Suspension of vacation rental certificate of compliance. In addition to any fines and~~  
377 ~~any other remedies described herein or provided for by law, a City Special Magistrate~~  
378 ~~or court of competent jurisdiction may suspend a vacation rental certificate of~~  
379 ~~compliance in accordance with the following:~~

380

381 ~~(1) — *Suspension time frames.*~~

382

383 ~~a. — Upon a third violation of this article the vacation rental certificate may be~~  
384 ~~suspended for a period of up to one hundred eighty (180) calendar days.~~

385

386 ~~b. — Upon a fourth violation of this article the vacation rental certificate may be~~  
387 ~~suspended for a period of up to three hundred sixty five (365) calendar days.~~

388

389 ~~c. — For each additional violation of this article the vacation rental certificate~~  
390 ~~may be suspended for an additional thirty (30) calendar days up to a~~  
391 ~~maximum period of twelve (12) months. For example, the fifth violation~~

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may be for three hundred ninety five (395) calendar days; the sixth violation may be for four hundred fifteen (415) calendar days, and so on.

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d. ~~A vacation rental certificate of compliance shall be subject to temporary suspension beginning five (5) working days after a citation is issued for a violation of the Florida Building Code, or Florida Fire Prevention Code. Such suspension shall remain in place until the vacation rental is re-inspected and it is determined that the violation no longer exists by the City.~~

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(2) ~~Suspension restrictions. A vacation rental may not have occupants, as defined herein, during any period of suspension of a vacation rental certificate.~~

404  
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406

a. ~~The suspension shall begin immediately following notice, commencing either:~~

407  
408

i. ~~At the end of the current vacation rental lease period; or~~

409  
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411

ii. ~~Within thirty (30) calendar days, whichever date commences earlier, or as otherwise determined by the special magistrate or court of competent jurisdiction.~~

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b. ~~Operation during any period of suspension shall be deemed a violation pursuant to this article and may be subject to daily fine, up to Five Hundred Dollars (\$500.00) or to the maximum amount as otherwise provided in Florida Statutes for repeat violations, for each day that the vacation rental operates during a period of violation.~~

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e. ~~An application for a renewal may be submitted during the period of suspension; however, no certificate of compliance may be issued for the vacation rental until the period of suspension has expired.~~

423  
424

(f) ~~This Article applies to Division 5.~~

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426

**Sec. 14-204. — Construction of article.**

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~~This Article, including but not limited to Division 5, shall be liberally construed to accomplish its purpose of regulating vacation rentals, protecting the residential character of Plantation, the health, safety, and general welfare of its residents and visitors, and the quiet enjoyment by Plantation's residents of their residential property.~~

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432

**Sec. 14-205. — Severability.**

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435

~~In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Article, is contrary to law, or against public policy, or shall for any reason~~

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436 whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction,  
437 such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Article  
438 shall be null and void, and shall be deemed severed, and a separate, distinct, and independent  
439 provision from the remaining provisions of this Article, and such holding shall in no manner affect  
440 the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections  
441 of this Article, which shall remain in full force and effect. This Article shall be construed in a  
442 manner to accomplish, to the greatest extent legally possible, the purposes of this Article as  
443 expressed herein. This Article applies to Division 5.

444

445 Secs. 14-206—14-210. Reserved

446

447 **DIVISION 2.—VACATION RENTAL REGISTRATION**

448

449 **DIVISION 2 - VACATION RENTAL REGISTRATION**

450

451 **Sec. 14-211.—Registration required. Section 14-203 - Registration Required**

452

453 (a) The operation of a hosted or non-hosted vacation rental without registration and  
454 35certificate of compliance after ~~September 1, 2019~~ shall be a violation of this Article,  
455 except in the instance of providing accommodations to fulfill a pre-existing contract as  
456 provided hereinafter. Every day of such operation without registration and certificate of  
457 compliance shall constitute a separate violation. ~~A property may be offered as a vacation~~  
458 ~~rental immediately upon submission of a completed application, unless and until such~~  
459 ~~time as the application is thereafter rejected for failure to pass inspection.~~

460 (b) A separate vacation rental registration shall be required for each vacation rental.

461

462 (c) The advertisement for the vacation rental for periods of less than 30 days or one calendar  
463 month and more than three times a year is direct evidence of operating a property for rent  
464 as a vacation rental in violation of subsection (a) of this section.

465

466 **Sec. 14-212.—Vacation rental registration:**

467 **Section 14-204, Application for Vacation Rental Registration**

468

469 (a) A vacation rental owner or agent, as applicable, registering a vacation rental with the  
470 City shall submit ~~to the city~~ a completed City application form, ~~utilizing a form~~  
471 ~~promulgated by the city,~~ together with a non-refundable registration fee of ~~Two Hundred~~  
472 ~~and Fifty Dollars (\$250.00)~~ or late registration fee in an amount set forth in subsection  
473 ~~14-262~~ 14-225 of this Article. of ~~Four Hundred Dollars (\$400.00) per dwelling unit.~~  
474 ~~These fees shall be subject to adjustment as provided in Section 2-421 of this Code.~~

475

476 (b) A registration application form shall include all of the following items in the submittals:

477

478 (1) ~~A completed application form which shall be submitted under oath and upon~~  
479 ~~penalty of perjury.~~

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- 481 (2) ~~A copy of the vacation rental's current and active license as a transient public~~  
482 ~~lodging establishment issued by the Florida Department of Business and~~  
483 ~~Professional Regulation as required by law.~~  
484
- 485 (3) ~~A copy of the vacation rental's current and active certificate of registration with the~~  
486 ~~Florida Department of Revenue for the purposes of collecting and remitting sales~~  
487 ~~surtaxes, transient rental taxes, and any other taxes required by law to be remitted~~  
488 ~~to the Florida Department of Revenue, if the registrant has such certificate of~~  
489 ~~registration.~~  
490
- 491 (4) ~~Evidence of the vacation rental's current and active account with the Broward~~  
492 ~~County Tax Collector for the purposes of collecting and remitting tourist~~  
493 ~~development taxes and any other taxes required by law to be remitted to the~~  
494 ~~Broward County Tax Collector.~~  
495
- 496 (5) ~~Exterior site sketch. An exterior site sketch of the vacation rental facility shall be~~  
497 ~~provided. The sketch shall show and identify all structures, pools, spas, hot tubs,~~  
498 ~~fencing, and uses, including areas provided for off-street parking. For purposes of~~  
499 ~~the sketch, off-street parking spaces shall be delineated so as to enable a fixed count~~  
500 ~~of the number of spaces provided. At the option of the vacation rental owner, such~~  
501 ~~sketch may be hand-drawn, and need not be professionally prepared.~~  
502
- 503 (6) ~~A copy of the most recent set of plans for the purposes of the receipt of the most~~  
504 ~~recent Certificate of Occupancy for the dwelling unit proposed to be registered as~~  
505 ~~a vacation rental which reflects the interior layout of the premises, supplemented~~  
506 ~~by information which discloses exits, hallways, and stairways, as applicable. At the~~  
507 ~~option of the vacation rental owner, in the event a copy of the most recent set of~~  
508 ~~plans is not maintained by the City, a sketch is acceptable, may be hand-drawn, and~~  
509 ~~need not be professionally prepared.~~  
510
- 511 (7) ~~A copy of a written notice sent by the vacation unit owner or agent to a mandatory~~  
512 ~~homeowner's association or condominium/cooperative association or board, if any,~~  
513 ~~that the subject property or unit will be used as a vacation rental, which notice must~~  
514 ~~be sent certified mail return receipt requested, and a copy of the green receipt signed~~  
515 ~~by the addressee indicating receipt of such notice.~~  
516
- 517 (8) ~~A calculation of the maximum number of occupants allowed in the vacation rental~~  
518 ~~in accordance with Section 14-246 of this Code.~~  
519

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- 520           ~~(9) The identity and contact information of the vacation rental owner, and if an agent~~  
521           ~~is designated by such owner pursuant to Subsection 14-217 (a) of this Code, the~~  
522           ~~contact information for such agent.~~  
523
- 524           ~~(10) A copy of the business tax receipt issued by the City Clerk, which shall be the same~~  
525           ~~as that applicable to "Rentals Apartments...."~~  
526
- 527           ~~(11) A copy of the business tax receipt issued by Broward County.~~  
528
- 529           ~~(12) A copy of the form vacation rental lease agreement to be used when contracting~~  
530           ~~with Occupants.~~  
531
- 532           (1) *Non-Hosted Vacation Rental:*  
533
- 534           a. A completed application form which shall be submitted under oath and upon  
535           penalty of perjury;  
536
- 537           b. A copy of the vacation rental's current and active license as a transient public  
538           lodging establishment issued by the Florida Department of Business and  
539           Professional Regulation (DBPR) as required by law;  
540
- 541           c. A copy of the vacation rental's current and active certificate of registration  
542           with the Florida Department of Revenue for the purposes of collecting and  
543           remitting sales surtaxes, transient rental taxes, and any other taxes required  
544           by law to be remitted to the Florida Department of Revenue, if the registrant  
545           has such certificate of registration;  
546
- 547           d. Evidence of the vacation rental's current and active account with the Broward  
548           County Tax Collector for the purposes of collecting and remitting tourist  
549           development taxes and any other taxes required by law to be remitted to the  
550           Broward County Tax Collector;  
551
- 552           e. *Exterior Site Sketch:* shall show and identify all structures, pools, spas, hot  
553           tubs, fencing, and uses, including areas provided for off-street parking. For  
554           purposes of the sketch, off-street parking spaces shall be delineated so as to  
555           enable a fixed count of the number of spaces provided; at the option of the  
556           vacation rental owner, such sketch may be hand-drawn, and need not be  
557           professionally-prepared;  
558
- 559           f. *Interior Drawing or Sketch:* A copy of the most recent set of plans for the  
560           purposes of the receipt of the most recent Certificate of Occupancy for the  
561           dwelling unit shall reflect the interior layout of the premises, supplemented  
562           by information which discloses exits, hallways, and stairways, as applicable;

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at the option of the vacation rental owner, in the event a copy of the most recent set of plans is not maintained by the City, a sketch is acceptable, may be hand-drawn, and need not be professionally-prepared;

- g. A calculation of the maximum number of occupants allowed in the vacation rental, both overnight and at all times other than night, in accordance with this Article;
- h. The identity and contact information of the vacation rental owner, and the agent if one is designated by such owner, pursuant to Subsection 14-210;
- i. A copy of the City-issued business tax receipt, which shall be the same as that applicable to "Rentals-Apartments";
- j. A copy of the County-issued business tax receipt;
- k. A copy of the form vacation rental lease agreement to be used when contracting with Occupants;
- l. Acknowledgement that:
  - (i) the vacation rental shall be equipped with a noise level detection device alerting the property owner/agent and tenants to noise emanating from the vacation rental, and
  - (ii) all data produced by this device will be retained for a period of 180 days and made available to the City upon request, as required by Law.
- m. An affidavit that the property is and shall remain in compliance with all vacation rental standards contained herein, plus any other applicable local, State and Federal laws, regulations and standards to include, but not be limited to F.S. ch. 509, and F.A.C. 61C and 69A and an acknowledgment that registration shall not be issued on a property with open code violations; and
- n. A commercial certificate of insurance evidencing insurance coverage to cover liability for injury or harm to occupants and other invitees, with respect to the use of the property as a vacation rental and acknowledgement that:
  - (i) Such liability coverage will be in effect at all times while the property is being used as a vacation rental, as evidenced by replacement certificates of insurance to be provided to the City as necessary,
  - (iii) The City shall be listed as a certificate holder,
  - (ii) The limits of the liability shall be in the following minimum amounts:

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- Bodily Injury & Property Damage Liability
- Each Occurrence: \$1,000,000
- Policy Aggregate: \$2,000,000
- Personal & Advertising Injury: \$1,000,000

(2) Hosted Vacation Rental:

- a. A completed application form which shall be submitted under oath and upon penalty of perjury;
- b. A certification that the property is a hosted vacation rental and that the owner understands the City's requirements for such rentals;
- c. An affidavit that the property is and shall remain in compliance with all vacation rental standards contained herein, plus any other applicable local, State and Federal laws, regulations and standards to include, but not be limited to F.S. ch. 509, and F.A.C. 61C and 69A and an acknowledgment that registration shall not be issued on a property with open code violations; and
- d. A commercial certificate of insurance evidencing insurance coverage to cover liability for injury or harm to occupants and other invitees, with respect to the use of the property as a vacation rental and acknowledgement that:
  - (j) Such liability coverage will be in effect at all times while the property is being used as a vacation rental, as evidenced by replacement certificates of insurance to be provided to the City as necessary;
  - (ii) The limits of the liability shall be in the following minimum amounts:
    - Bodily Injury & Property Damage Liability
    - Each Occurrence: \$1,000,000
    - Policy Aggregate: \$2,000,000
    - Personal & Advertising Injury: \$1,000,000
- e. A copy of the vacation rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue, if the registrant has such certificate of registration;

- 649 f. Evidence of the vacation rental's current and active account with the Broward  
650 County Tax Collector for the purposes of collecting and remitting tourist  
651 development taxes and any other taxes required by law to be remitted to the  
652 Broward County Tax Collector;  
653  
654 g. Exterior Site Sketch: shall show and identify all structures, pools, spas, hot  
655 tubs, fencing, and uses, including areas provided for off-street parking. For  
656 purposes of the sketch, off-street parking spaces shall be delineated so as to  
657 enable a fixed count of the number of spaces provided; at the option of the  
658 vacation rental owner, such sketch may be hand-drawn, and need not be  
659 professionally-prepared;  
660  
661 h. Interior Drawing or Sketch: A copy of the most recent set of plans for the  
662 purposes of the receipt of the most recent Certificate of Occupancy for the  
663 dwelling unit shall reflect the interior layout of the premises, supplemented  
664 by information which discloses exits, hallways, and stairways, as applicable;  
665 at the option of the vacation rental owner, in the event a copy of the most  
666 recent set of plans is not maintained by the City, a sketch is acceptable, may  
667 be hand-drawn, and need not be professionally-prepared;  
668  
669 i. A calculation of the maximum number of occupants allowed in the vacation  
670 rental, both overnight and at all times other than night, in accordance with this  
671 Article;  
672  
673 j. The identity and contact information of the vacation rental owner;  
674  
675 k. A copy of the City-issued business tax receipt;  
676  
677 l. A copy of the Broward County-issued business tax receipt; and  
678  
679 m. A copy of the form vacation rental lease agreement to be used when  
680 contracting with Occupants.  
681  
682 (c) A separate registration shall be required for each vacation rental dwelling unit.  
683  
684 (d) If a registration application is incomplete, the registrant will be notified of the deficiency,  
685 and be allowed ~~ten (10)~~ fifteen (15) business days after such official notification to  
686 provide any missing information or fees. Failure to submit the missing information shall  
687 result in denial of the application.  
688  
689 (e) Providing false or misleading information on a vacation rental application form is  
690 grounds to revoke a registration, and additionally, is a violation of this Article, subject to  
691 a fine, as noted in Section 14-225.  
692

693 **Sec. 14-213. — Minimum requirements for issuance of a certificate of compliance.**

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694 Section 14-205 - Certificate of Compliance  
695

696 (a) The Director of Planning Zoning and Economic Development will issue a certificate of  
697 compliance to the applicant upon completion by the vacation rental owner of the  
698 following, at a minimum:  
699

- 700 (1) ~~The vacation rental owner completing the city registration application form; and~~  
701  
702 (2) ~~The vacation rental owner paying the non-refundable registration fee; and~~  
703  
704 (3) ~~The vacation rental owner submitting a business tax receipt from the City of~~  
705 ~~Plantation; and~~  
706  
707 (4) ~~The vacation rental owner submitting a business tax receipt from Broward County;~~  
708 ~~and~~  
709  
710 (5) ~~The vacation rental owner submitting a Florida Department of Revenue certificate~~  
711 ~~of registration for purposes of collecting and remitting tourist development taxes,~~  
712 ~~sales surtaxes and transient rental taxes; and~~  
713  
714 (6) ~~The vacation rental owner submitting a Florida Department of Business and~~  
715 ~~Professional Regulation license as a transient public lodging establishment; and~~  
716  
717 (7) ~~The vacation rental owner submitting an affidavit demonstrating maintaining initial~~  
718 ~~and ongoing compliance with vacation rental standards contained herein, plus any~~  
719 ~~other applicable local, state and federal laws, regulations and standards to include,~~  
720 ~~but not be limited to F.S. ch. 509, and F.A.C. 61C and 69A; and~~  
721  
722 (8) ~~The vacation rental owner submitting a copy of the form vacation rental/lease~~  
723 ~~agreement to be used when contracting with occupants; and~~  
724  
725 (9) ~~The vacation rental owner submitting a copy of a written notice sent by the vacation~~  
726 ~~unit owner or agent to a mandatory homeowner's association or~~  
727 ~~condominium/cooperative association or board, if any, that the subject property or~~  
728 ~~unit will be used as a vacation rental, which notice must be sent certified mail return~~  
729 ~~receipt requested, via FEDEX or via UPS. The vacation rental owner must also~~  
730 ~~submit a copy of the return receipt signed by the addressee indicating receipt of~~  
731 ~~such notice; and~~  
732  
733 (10) ~~The vacation rental owner submitting an exterior site sketch of the property; and~~  
734  
735 (11) ~~That the vacation rental has satisfied the inspection requirements as provided in~~  
736 ~~Division 3 of this Article; and~~  
737  
738 (12) ~~That the vacation rental is not subject to a suspension pursuant to section 14-203.~~

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CODING: Words in ~~strike through~~ type are deletions from existing law;  
Words in underlines type are additions.

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(1) Non-hosted Vacation Rental:

- a. The City Registration Application with all its required documents listed in Section 14-204; and
- b. Full payment of the non-refundable registration fee and all other applicable fees; and
- c. Satisfaction of the inspection requirements as provided in this Article; and
- d. That the rental owner is not subject to a suspension pursuant to Section 14-224.

(2) Hosted Vacation Rental:

- a. The City Registration Application with all its required documents listed in Section 14-204; and
- b. Full payment of the non-refundable registration fee and all other applicable fees; and
- c. That the rental owner is not subject to a suspension pursuant to Section 14-224.

**~~Sec. 14-214. — Modification of vacation rental registration.~~**

**Section 14-206 - Modification of Registration**

- (a) An amendment of a vacation rental registration shall be required in the event that any of the following changes to the vacation rental are proposed:

- ~~(1) An increase in the number of bedrooms in the vacation rental.~~
- ~~(2) An increase in the maximum occupancy of the vacation rental.~~
- ~~(3) An increase or decrease in the number of parking spaces, or a change in the location of parking spaces for the vacation rental.~~
- ~~(4) A change in ownership of the vacation rental, or the designated agent.~~

(1) Non-hosted Vacation Rental:

- a. An increase in the number of bedrooms and/or occupancy;

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- 783 b. An increase or decrease in the number of parking spaces, and/or a change in the  
784 location of parking spaces;  
785  
786 c. An increase in the gross square footage;  
787  
788 d. An increase in the number of bathrooms;  
789  
790 e. Any other material modifications that would increase the intensity of use;  
791  
792 f. A change in ownership of the vacation rental, or the designated agent.  
793

794 (2) Hosted Vacation Rental:

- 795 a. A change in ownership of the owner-occupied vacation rental.  
796

797  
798 ~~(b) The fee for processing any proposed amendment shall be Fifty Dollars (\$50.00). This fee~~  
799 ~~shall be subject to adjustment as provided in Section 2-421 of this Code.~~

800  
801 ~~Sec. 14-215. — Duration of vacation rental registration and certificates of compliance.~~  
802 Section 14-207 - Duration of Registration and Certificates of Compliance  
803

804 A vacation rental registration for which a certificate of compliance has been issued shall be valid  
805 for one (1) year after the date of registration, and all registrations and certificates of compliance  
806 shall expire on September 30th of each year. All registrations for which certificates of compliance  
807 were issued within one hundred eighty (180) days prior to September 30th shall remain valid and  
808 shall not expire until September 30th of the following year.  
809

810 ~~Sec. 14-216. — Renewal of vacation rental registration.~~  
811 Section 14-208 – Registration Renewal  
812

813 The application for renewal must be submitted no later than sixty (60) days prior to the September  
814 30th expiration date. For late renewals, the fee shall be ~~Three Hundred Dollars (\$300.00) and shall~~  
815 ~~be charged to an application for renewal submitted prior to the expiration date but after the sixty~~  
816 ~~(60) days required by this section. All applications for renewal received after September 30th shall~~  
817 ~~be processed as a new application and subject to all applicable fees. All registrations for which~~  
818 ~~certificates of compliance were issued within one hundred eighty (180) days prior to September~~  
819 ~~30th shall remain valid and shall not expire until September 30th of the following year.~~  
820

821 ~~Sec. 14-217. — Inspections of vacation rentals.~~  
822 Section 14-209 – Compliance Inspections  
823

824 (a) Inspection of a vacation rental to ~~verify~~ verify compliance with the Florida Building Code,  
825 and the Florida Fire and Life Safety Codes, shall be conducted by the City upon registration and  
826 renewals of non-hosted ~~the~~ vacation rentals. If instances of noncompliance are found, all such

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827 instances of noncompliance shall be handled as other violations of the Florida Building Code and  
828 Florida Fire and Life Safety Codes are otherwise handled in the city.

829

830 (b) Inspections shall be made by the city through appointment with the vacation rental owner or  
831 agent, as applicable. If a city inspector has made an appointment with the vacation rental owner or  
832 agent, as applicable, for an inspection, and the city inspector is unable to complete the inspection  
833 as a result of an action or inaction of the vacation rental owner or agent, or an occupant of the  
834 vacation rental, the vacation rental owner shall be charged a "re-inspection" fee. The re-inspection  
835 fee shall be paid prior to scheduling the re-inspection. In addition, failure of a vacation rental owner  
836 or agent, as applicable, to make the vacation rental available for an inspection within twenty (20)  
837 days after notification by the city in writing that the city is ready to conduct the annual inspection,  
838 shall be a violation of this Article. Each day that such violation continues shall be a separate  
839 violation.

840

841 ~~(e) The fee for the initial inspection shall be One Hundred Dollars (\$100.00), however, the fee~~  
842 ~~for each re-inspection shall be Two Hundred Fifty Dollars (\$250.00). These fees shall be subject~~  
843 ~~to adjustment as provided in Section 2-421 of this Code.~~

844

845 ~~(d) (c)~~ In the event a vacation rental certificate is revoked or suspended as set forth in Section 14-  
846 ~~203224~~ of this Code, inspection, or re-inspection, shall be required as set forth in this Subsection.

847

848 ~~Sec. 14-218. — Agent/transfer of vacation rental registration~~

849 ~~Section 14-210 - Duties of the Vacation Rental Owner/Agent~~

850

851 (a) The duties and functions of a non-hosted vacation rental owner may, at the option of the  
852 vacation rental owner, be performed by an agent of the vacation rental owner. The vacation  
853 rental owner shall be held responsible for all actions of such designated agent with respect  
854 to the applicable vacation rental.

855

856 ~~(b) Vacation rental registrations are transferable only when the ownership of the vacation rental~~  
857 ~~is sold or otherwise transferred, and the new owner has filed a modification of the registration~~  
858 ~~with the city within thirty (30) days from the date of the sale or transfer. Absent such~~  
859 ~~modification of the registration, any outstanding vacation rental registration as to that~~  
860 ~~vacation rental shall be null and void on the 31st day after such sale or transfer.~~

861 Every non-hosted vacation rental owner/agent shall:

862

863 (1) be available by landline or mobile telephone answered by the vacation rental  
864 representative at the listed phone number, 24 hours a day, seven days a week, to handle  
865 any problems arising from the vacation rental; and

866

867 (2) be willing and able to be physically present at the vacation rental within 60 minutes  
868 following notification from a vacation rental occupant, law enforcement officer, code  
869 enforcement officer, emergency personnel, or any other city official for issues related

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870 to the vacation rental and shall actually be physically present at that location in that  
871 time frame when requested. The rental agreement, including the date booked and  
872 check-in/check-out schedule, for a current guest shall be made available immediately  
873 upon arrival to the city official requesting a response. Any violations resulting in fines  
874 issued to a tenant where the property owner was advised shall also be the property  
875 owner's responsibility, thereby enabling the property owner to recover the fines via a  
876 security deposit; and

877  
878 (3) conduct an on-site inspection of the vacation rental at the end of each rental period to  
879 assure continued compliance with the requirements of this chapter; and

880  
881 (4) maintain for three (3) years a log of all guests of the vacation rental to be available for  
882 inspection upon request, as permitted by law. Any omission of rentals shall be grounds  
883 for revocation of the vacation rental registration and certificate of compliance, as  
884 permitted by law.

885 ~~Sec. 14-219. — Vested rights/waiver/estoppel.~~

886 Section 14-211 - Vested Rights/Waiver/Estoppel

887

888 A vacation rental registration or certificate of compliance shall not be construed to establish any  
889 vested rights or entitle the registered vacation rental to any rights under the theory of estoppel. A  
890 vacation rental registration or certificate of compliance shall not be construed as a waiver of any  
891 other requirements contained within the City of Plantation City Code of Ordinances or  
892 Comprehensive Plan and is not an approval of any other code requirement outside this Article. The  
893 registration of or issuance of a certificate of compliance for a vacation rental is not an approval of  
894 a use or activity that would otherwise be illegal under the Florida Statutes, the Florida Building  
895 Code, the Florida Fire Code or Florida Life Safety Code, or in violation of the Plantation City  
896 Code or Comprehensive Plan. This Article Section applies to Division 5.

897

898 ~~Sec. 14-220. — Duties of vacation rental owner~~

899 Section 14-212 License Non-transferable, Non-assignable

900

901 ~~Every vacation rental owner or agent, as applicable, shall be available by landline or mobile~~  
902 ~~telephone answered by the vacation rental owner or agent at the listed phone number 24 hours a~~  
903 ~~day, seven (7) days a week to respond to police, fire or other emergency personnel requests.~~  
904 ~~Otherwise, response to contact by the city's regulatory personnel shall be required only Monday~~  
905 ~~through Saturday, 9:00 a.m. to 6:00 p.m. Failure of the vacation rental owner or agent, as~~  
906 ~~applicable, to fulfil this duty, shall be a violation of this Article.~~

907 Vacation rental registrations and certificates of compliance are non-transferable and non-  
908 assignable. If the ownership of a vacation rental is sold or otherwise transferred, any outstanding  
909 vacation rental registration and certificate of compliance as to that vacation rental shall be null and  
910 void upon the sale or transfer, and the new owner would need to file a separate application.

911

912 ~~Sees. 14-221 — 14-240. — Reserved.~~

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**DIVISION 3.— STANDARDS AND REQUIREMENTS FOR VACATION RENTALS**  
**DIVISION 3 - STANDARDS AND REQUIREMENTS**

**Sec. 14-241.— Generally. Section 14-213 - Generally**

The standards and requirements set forth in this Article shall apply to the rental, use, and occupancy of vacation rentals in the City of Plantation. ~~The vacation rental owner must conduct an on-site inspection of the vacation rental at the end of each rental period to ensure continued compliance with the standards and requirements of this Article.~~

**Sec. 14-242.— Minimum safety and operational requirements.**

**Section 14-214 - Minimum Life Safety Requirements**

~~Vacation rentals in the City of Plantation shall meet the applicable standards under the Florida Statutes, Florida Building Code and the Florida Fire Code and Life Safety Code, and each vacation rental must have at least one (1) telephone with the ability to call 911. Each vacation rental must have within each unit an operational smoke and carbon monoxide (CO) detection and notification system. Every smoke and carbon monoxide (CO) detection and notification system must be intereconnected, hard-wired, and receive primary power from the building wiring. The smoke and carbon monoxide (CO) detection and notification system must be installed and continually maintained consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code—Residential. Each vacation rental must have a portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the unit. The fire extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.~~

(1) Each vacation rental shall meet the applicable standards under the Florida Statutes, Florida Building Code and the Florida Fire Code and Life Safety Code, and must have at least:

- (a) *Land line Telephone:* one (1) telephone with the ability to call 911; and
- (b) *Smoke and Carbon Monoxide (CO) Detection and Notification System:* every smoke and carbon monoxide (CO) detection and notification system must be interconnected, hard-wired, and receive primary power from the building wiring. The smoke and carbon monoxide (CO) detection and notification system must be installed and continually maintained consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code—Residential; and
- (c) *Fire Extinguisher:* a portable, multi-purpose, dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the unit and each fire extinguisher shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.

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958 (2) Swimming Pool, Spa and Hot Tub Safety: all swimming pools, spas and hot tubs shall comply  
959 with the current standards of the Residential Swimming Pool Safety Act, F.S. Ch. 515,  
960

961 (3) Compliance with Florida Administrative Code Rule 69A-43.018. "One- and Two-Family  
962 Dwellings, Recreational Vehicles and Mobile Homes Licensed as Public Lodging  
963 Establishment."  
964

965 ~~Sec. 14-243.—Maintenance of tax records, guest records and guest screening.~~  
966 **Section 14-215 - Maintenance of Tax Records, Guest Records and Guest Screening**  
967

968 (a) If the vacation rental property is within a protected zone of the city established in accordance  
969 with Article III of Chapter 17 of this Code where it is unlawful for sexual offenders ("Offender")  
970 to reside, it shall be a violation of this Article for a vacation rental owner or agent to allow any  
971 person who is an Offender as defined in Section 17-35 to occupy the vacation rental contrary to  
972 the provisions of Article III, Chapter 17 of this Code.  
973

974 (b) If the vacation rental property is within a protected zone of the city established in accordance  
975 with Article III of Chapter 17 of this Code where it is unlawful for sexual offenders ("Offender")  
976 to reside, the vacation rental owner or agent shall screen each prospective occupant of the vacation  
977 rental through the national and state on-line databases, and in the event the name of the prospective  
978 occupant is the same as any name disclosed by such databases, obtain other information from the  
979 occupant as is necessary to determine that the prospective occupant is not the same person as is  
980 identified by the database.  
981

982 (c) The vacation rental owner must maintain a record of all occupants allowed in the vacation  
983 rental for the preceding ~~one (1)~~ three (3) year period. The record shall include the names, mailing  
984 addresses, and dates of stay of occupants. For vacation rentals within a protected zone of the city  
985 established in accordance with Article III of Chapter 17 of this Code, the record shall include any  
986 additional information used by the vacation rental owner or agent to screen occupants as may have  
987 been necessary in accordance with this Section. The City may request a copy of the records during  
988 the ~~one (1)~~ three (3) year period. The records must be provided to the City within ten (10) business  
989 days of date of the request , as permitted by law ~~from the City~~.  
990

991 (d) The vacation rental owner must maintain a record of sales surtaxes, transient rental taxes,  
992 and any other taxes remitted to the Florida Department of Revenue for the preceding one (1) year  
993 period. The City may request a copy of the records during the one (1) period. The records must be  
994 provided to the City within ten (10) business days of date of the request ~~from the City~~.  
995

996 ~~Sec. 14-244.—Public nuisance.~~ **Section 14-216 - Public Nuisance**  
997

998 The vacation rental owner and all occupants shall abide by all applicable Sstate and local public  
999 nuisance laws and ordinances, including, but not limited to, §§ 823.05 and 823.10 of the Florida  
1000 Statutes, which prohibits any place or premises from being used as the site for the unlawful sale  
1001 or delivery of controlled substances, prostitution, youth and street gang activity, gambling, illegal

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1002 sale or consumption of alcoholic beverages, or lewd or lascivious behavior that adversely affects  
1003 the public health, safety, morals, and welfare.

1004

1005 **Sec. 14-245. – Swimming pool safety features Section 14-217 - Parking Standards**

1006

1007 ~~If there is a swimming pool onsite, the vacation rental owner will ensure that the swimming pool~~  
1008 ~~has in place at least one (1) of the pool safety features listed in § 515.27, Florida Statutes. (i.e.,~~  
1009 ~~pool safety barrier, pool safety cover, pool alarm, or door latch/ alarm) prior to use of the property~~  
1010 ~~as a vacation rental by any person under the age of six (6). The vacation rental owner will be~~  
1011 ~~deemed to have complied with this provision if the pool safety feature is put in place at the time~~  
1012 ~~that the property is turned over to any transient occupant occupying the vacation rental. This~~  
1013 ~~provision shall not apply to a vacation rental with a community swimming pool onsite, such as in~~  
1014 ~~a condominium, as determined by the Chief Administrative Officer. Compliance with this~~  
1015 ~~provision shall be in addition to compliance with Section 5-129, Chapter 5, Article IV of this Code~~  
1016 ~~pertaining to swimming pool fences.~~

1017

1018 Occupants and visitors to the vacation rental shall comply with all relevant parking codes as found  
1019 in Chapters 25 and 27 of the Plantation Code of Ordinances. In addition, occupants and visitors  
1020 shall park motor vehicles only on the site where the property is designed to accommodate on-site  
1021 parking or off-site where adjacent to the property is allowed. Occupants and visitors to a vacation  
1022 rental shall not park on the swale area or any unpaved right-of-way adjacent to a paved street,  
1023 which swale area or unpaved right-of-way abuts the property of another single-family dwelling,  
1024 without the consent of a person entitled to the possession and use of the property abutting the swale  
1025 area or unpaved right-of-way. Notice of parking locations allowed and other requirements shall  
1026 be posted inside the vacation rental. Violators shall be subject to towing, towing costs and fines.

1027

1028 **Sec. 14-246. – Maximum occupancy/limitations/grandfathering,**

1029 **Section 14-218 - Maximum Occupancy**

1030

1031 (a) Subject to an increase as a result of Subsection (c) below, the maximum occupancy of a  
1032 vacation rental, whether hosted or non-hosted, shall be the lesser of (1) or (2) below:

1033

1034 (1) ~~The~~ the maximum number of occupants authorized to stay overnight at any vacation  
1035 rental shall be limited to two (2) persons per bedroom; or

1036

1037 (2) ~~A~~ a total of eight (8) occupants per vacation rental, rental; however, in the event there  
1038 is more than one building or dwelling on one (1) platted lot, the maximum occupancy  
1039 shall be capped at eight (8) occupants per lot or structure, whichever is less.

1040

1041 (b) The maximum number of persons allowed to gather at or occupy a vacation rental shall not  
1042 exceed ~~three (3)~~ one-and-a-half (1.5) times the maximum occupants authorized to stay  
1043 overnight at that site, as shown on the registration for the vacation rental.

1044

1045 (c) Up to four (4) persons under thirteen (13) years of age are exempt from and shall not count  
1046 toward the occupancy limits set in Subsection 14-246 14-218(a) above.

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**Sec. 14-247. -- Grandfather provision. Section 14-219 – Grandfathering/Vested Rights**

(a) A vacation rental that was used as a vacation rental as of the effective date of this Article, (~~September 1, 2019~~), may apply for the status of "grandfathered" for a period of five (5) years, so as to be relieved of the maximum occupancy limitations set forth in Paragraph 14-246 218(a)(2) and Subsection 14-246 218(b) above. All other requirements applicable to vacation rentals shall apply to "grandfathered" vacation rentals.

(b) A grandfathered vacation rental shall have its maximum occupancy based upon two (2) persons per bedroom (each bedroom must meet the definition of bedroom herein) at the time of application for grandfather status. A change in the number of bedrooms at the vacation rental shall cause such vacation rental to lose its grandfathered status.

(c) Vacation rentals that have an occupancy of eight (8) or less as determined according to Section 14-246 218(a)(1) above will not require grandfathering to maintain that occupancy.

(d) Application and Procedure; for review.

(1) The vacation rental owner, or agent, as applicable, ("grandfathering applicant"), shall complete a grandfathering application as prescribed by the Ceity, which shall be submitted under oath and upon penalty of perjury, and provide verifiable written proof of the number of bedrooms as herein defined in the vacation rental, such proof may include but not be limited to all pre-existing rental agreements.

(2) The grandfathering application and supporting, documented proof shall be submitted to the Ceity for review by Ceity staff, ~~and such staff~~ who shall make a written determination as to the maximum occupancy of such grandfathered vacation rental and issue a certificate of compliance.

(3) ~~If the city staff fails to confirm the requested occupancy level, the City of Plantation shall notify the grandfather applicant of that fact, and the occupancy level that can be approved, in writing. Within twenty (20) days after such notice, an evidentiary hearing may be requested by the grandfather applicant before the Sspecial Mmagistrate to provide the grandfather applicant an opportunity to provide evidence and/or testimony in support of the occupancy requested. A determination by the Sspecial Mmagistrate after such evidentiary hearing shall be final. If no a hearing is not requested during that time period, the occupancy level shall be set at the level determined by the city Sstaff upon initial review.~~

(4) ~~An application for grandfathering shall be submitted, if at all, by no later than the time of registration of the vacation rental, but not later than October 1, 2019. If the city extends the date that registration is required, the deadline for the application for grandfathering shall also be extended to the same extended date. If a vacation rental has been registered, but a final determination as to the occupancy level based upon grandfathering has not yet been made, such vacation rental may allow occupancy up to the occupancy requested in the grandfathering application until such time as a final determination as to occupancy has been made.~~

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1092  
1093 (5) (4) If it is reasonably determined by the city Sstaff that any information supplied to the City of  
1094 Plantation in support of an application for grandfathering was intentionally false or fraudulent, any  
1095 approved grandfathering application may be revoked. If there is such a determination by city staff,  
1096 the City of Plantation shall notify the grandfather applicant of that fact, and within twenty (20)  
1097 days after such notice, an evidentiary hearing may be requested by the grandfather applicant before  
1098 the Sspecial Mmagistrate to provide the grandfather applicant an opportunity to provide evidence  
1099 and/or testimony to show that the information supplied in support of the application for  
1100 grandfathering was not intentionally false or fraudulent. The determination by the Sspecial  
1101 Mmagistrate after such evidentiary hearing shall be final. If ~~no~~ a hearing is not requested during  
1102 that time period, the initial determination by the city Sstaff shall be final.

1103  
1104 (6) (5) If a vacation rental registration does not exist as to a vacation rental for a period in excess  
1105 of thirteen (13) months, any grandfathering determination shall be deemed abandoned, and shall  
1106 no longer be applicable to that vacation rental.

1107 ~~Sec. 14-248. – Vacation rental agreements – Minimum provisions:~~

1108 Section 14-220 - Vacation Rental Agreements

1109  
1110 Vacation rentals shall be rented, leased or occupied pursuant to a written rental agreement which  
1111 contains, at a minimum, the following information:

1112  
1113  
1114 (1) ~~Maximum occupancy of the vacation rental that is consistent with the vacation rental~~  
1115 registration; maximum occupancy that is consistent with the Registration; and

1116  
1117 (2) ~~The maximum number of vehicles that will be allowed to park at the vacation rental. Such~~  
1118 number of vehicles shall not exceed the number of parking spaces located at the vacation rental as  
1119 shown in the sketch submitted with the vacation rental registration, plus any other legal parking  
1120 spaces that the vacation rental owner can show are available to the vacation rental; maximum  
1121 number of vehicles that will be allowed to park at the property and the location(s) where occupants  
1122 may park, which shall be posted at the property and indicated within the advertising; and

1123  
1124 (3) ~~A statement that a sketch of the permitted off-street parking locations where occupants may~~  
1125 park according to the vacation rental registration sketch and any other legal parking spaces  
1126 available to the vacation rental will be posted at the vacation rental.

1127  
1128 (4) (3) ~~A a statement that all occupants must promptly evacuate from the vacation rental upon~~  
1129 posting of any evacuation order issued by Sstate or local authorities; authorities; and

1130  
1131 (4) ~~A a copy of a document to be supplied by the Ceity which includes excerpts from City-of~~  
1132 Plantation ordinance provisions of general application relevant to vacation rentals to include solid  
1133 waste and recyclable pick-up regulations, and City-of Plantation the Noise Ordinance, as specified  
1134 by resolution of the city, as a lease addendum. The Ceity will make available to vacation rental  
1135 owners and agents a copy of such document in digital format upon request and the city will post  
1136 such document on its which shall be posted on the City's website.

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~~Sec. 14-249.— Required providing of vacation rental and local information~~  
Section 14-221 Posting and Advertising of Vacation Rental Information

- (a) On-site posting: In each vacation rental, there shall be provided, in a prominent location, the following written information:
- ~~(1) The name, address and phone number of the vacation rental owner or agent, as applicable.~~
  - ~~(2) The maximum occupancy of the vacation rental.~~
  - ~~(3) A copy of a document to be supplied by the city which includes excerpts from City of Plantation ordinance provisions of general application relevant to vacation rentals to include solid waste and recyclable pick-up regulations, and City of Plantation Noise Ordinance, as specified by resolution of the city, as a lease addendum. The city will make available to vacation rental owners and agents a copy of such document in digital format upon request, and the city will post such document on its website.~~
  - ~~(4) The maximum number of vehicles that can be parked at the vacation rental, along with a sketch of the location of the off-street parking spaces.~~
  - ~~(5) The days and times of garbage and recyclable pickup.~~
  - ~~(6) The location of the nearest hospital.~~
  - ~~(7) A copy of the City's Business Tax Receipt.~~
  - ~~(8) A copy of the Certificate of Completion.~~
- ~~(b) There shall be posted, next to the interior door of each bedroom a legible copy of a building evacuation map—Minimum 8½" by 11".~~
- (1) the name, address and phone number of the vacation rental owner or agent, as applicable;
  - (2) the maximum occupancy permitted;
  - (3) a copy of a document to be supplied by the City which includes excerpts from the relevant ordinance provisions, as noted in Section 14-220;
  - (4) the maximum number of vehicles that can be parked and the specified locations;

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- 1178  
1179 (5) the days and times of garbage and recyclable pickup;  
1180  
1181 (6) the location of the nearest hospital;  
1182  
1183 (7) a copy of the Plantation Business Tax Receipt;  
1184  
1185 (8) a copy of the Plantation Certificate of Compliance;  
1186  
1187 (9) a statement advising the occupant that the volume of noise generated at the vacation rental  
1188 is limited by the City Noise Ordinance and that it will be monitored. A noise level detection  
1189 device alerting the property owner/agent and tenant shall be installed at every non-hosted  
1190 vacation rental, which shall be capable of detecting noise levels audible outside of the  
1191 dwelling, potentially affecting the surrounding community;  
1192  
1193 (10) if applicable, a statement that the vacation rental is located within 1,000 feet of a school,  
1194 designated public school bus stop, day care center, park, playground, or other private or  
1195 public recreational facility where children regularly congregate and shall not be rented to nor  
1196 occupied by any person who has been convicted of a violation of F.S. 794.011, 800.04,  
1197 827.071, or 847.0145, or convicted of a similar felony sexual offense in any other State,  
1198 Federal Court or military tribunal in the United States, regardless of whether adjudication  
1199 has been withheld, in which the victim of the offense was less than 16 years of age.  
1200  
1201 (11) in each vacation rental, located in the backyard and/or pool area, there shall be posted a  
1202 notice that (i) unreasonably loud noises are prohibited, (ii) the City's Noise Ordinance must  
1203 be fully complied with, and (iii) the property is monitored by a noise level detection device.  
1204  
1205 (12) next to the interior door of each bedroom a legible copy of a building evacuation map that  
1206 is at least 8½" by 11".  
1207  
1208 (b) The vacation rental shall not be advertised for any commercial or non-residential use, except  
1209 for the use of the premises as a Vacation Rental. Any advertising of the vacation rental unit by the  
1210 owner, representative or any service shall conform to information included in the vacation rental  
1211 application and shall include, at a minimum, identification of the maximum occupancy permitted  
1212 on the property. The owner or representative shall ensure that the name and contact information  
1213 for any listing services on or through which the vacation rental is to be offered for rent, which was  
1214 provided in the application, is updated with the City to reflect any changes to ensure that the City  
1215 has a current list of all sites on which the vacation rental is listed for rent. Advertisements for the  
1216 vacation rental must display the Florida Department of Business and Professional Regulation  
1217 Transient Lodging license number and the City of Plantation vacation rental registration number.  
1218 Any advertising of a property for purposes of a Vacation Rental shall be deemed sufficient  
1219 evidence of the use of that property as a Vacation Rental for purposes of enforcing all sections of

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1220 this Article. It shall be the property owner's responsibility to cancel any advertisements upon  
1221 ceasing rentals. Failure to do so is not a defense.

1222

1223 **Section 14-222 - Commercial Use of Property**

1224

1225 The vacation rental shall not be used by any non-permanent residents (i.e., vacation rental  
1226 occupants) for any commercial or non-residential use, except that the use of the premises as a  
1227 Vacation Rental by the property owners shall not be deemed a prohibited commercial use.  
1228 Notwithstanding the ability of the permanent residents' ability to establish and maintain a  
1229 permitted home-based business otherwise permitted by this chapter, specifically, it shall be  
1230 unlawful to engage in any commercial or non-residential activity, such as, but not limited to, the  
1231 following:

1232

1233 (a) use of the premises for the manufacturing, storing, distribution, or repair of any merchandise;

1234

1235 (b) allowing clients or customers of the tenant on the premises for the purpose of engaging in  
1236 activities pursuant to their relationship with the tenant as clients or customers;

1237

1238 (c) use of the address of the premises for purposes of advertising the premises for a use other  
1239 than its intended use as a Vacation Rental;

1240

1241 (d) allowing an employee of the tenant on the premises for the purpose of providing services to  
1242 the tenant pursuant to the employment relationship between the tenant and the employee;

1243

1244 (e) posting or displaying a sign on the premises which indicates that the premises are being used  
1245 for a use other than its intended use as a Vacation Rental; All signs that are allowed shall  
1246 comply fully with Article 8 of the Land Development Regulations of the City.

1247

1248 (f) charging an admission fee for access to the Vacation Rental or any portion of the Vacation  
1249 Rental; and

1250

1251 (g) violation of any other code that regulates or prohibits commercial or non-residential uses.

1252

1253 The City shall deem any commercial or non-residential use or advertising for any commercial or  
1254 non-residential use as a serious offense and shall seek the maximum penalties allowed by law

1255

1256 ~~Secs. 14-252—14-259.—Reserved.~~

1257

1258 **DIVISION 4.—EXEMPTIONS** **DIVISION 4 - EXEMPTIONS**

1259

1260 ~~Sec. 14-260.—Exemption for pre-existing rental agreements.~~

1261 **Section 14-223 - Exemption for Pre-existing Rental Agreements**

1262



1263 (a) Notwithstanding any other provision of this Article, rental agreements with prospective  
1264 occupants for vacations rentals that were pre-existing as of the enactment of this Article,  
1265 (hereinafter "pre-existing agreements") are exempt from the provisions of this Article.  
1266

1267 (b) If a vacation rental is cited for a violation of this Article, (that would not be a violation if it  
1268 were not for this Article), when the vacation rental is occupied under the terms of a pre-existing  
1269 agreement, the vacation rental owner may defend such violation based on the fact that the vacation  
1270 rental was exempt from this Article due to it being occupied pursuant to a pre-existing agreement.  
1271 Such defense shall be determined based upon the following information, and upon any additional  
1272 information supplied by the vacation rental owner or otherwise determined by the fact finder:  
1273

1274 ~~(1) Copy of deposit or payment information evidencing that the agreement was a pre-~~  
1275 ~~existing agreement.~~  
1276

1277 ~~(2) Copy of e-mail or other communication evidencing a binding pre-existing agreement.~~  
1278

1279 ~~(3) Information from the occupant confirming that there was a binding agreement in a~~  
1280 ~~time frame to make the agreement as pre-existing agreement under this Article.~~  
1281

1282 (1) copy of deposit or payment information evidencing that the agreement was a pre-existing  
1283 agreement; and  
1284

1285 (2) copy of e-mail or other communication evidencing a binding pre-existing agreement; and  
1286

1287 (3) information from the occupant confirming that there was a binding agreement in a  
1288 timeframe to make the agreement as pre-existing agreement under this Article.  
1289

1290 ~~DIVISION 5. – OWNER OCCUPIED SHORT TERM RENTALS~~

1291 ~~DIVISION 5 - ENFORCEMENT, FEES AND PENALTIES~~

1292

1293 ~~Sec. 14-261. – Owner-occupied short-term registration required.~~

1294 ~~Section 14-224 - Enforcement~~

1295

1296 ~~The operation of an owner-occupied short-term rental without registration and certificate of~~  
1297 ~~compliance after September 1, 2019 shall be a violation of this Article, except in the instance of~~  
1298 ~~providing accommodations to fulfill a pre-existing contract as provided hereinafter. Every day of~~  
1299 ~~such operation without registration and certificate of compliance shall constitute a separate~~  
1300 ~~violation. A property may be offered as an owner-occupied short-term rental immediately upon~~  
1301 ~~submission of a completed application, unless and until such time as the application is thereafter~~  
1302 ~~rejected.~~  
1303

- 1304 (a) Violations of this Article may be enforced in accordance with the provisions of Chapter 6,  
 1305 Code Enforcement; however, the City reserves the right to issue an immediate notice of  
 1306 violation, upon a finding, rather than a warning.  
 1307
- 1308 (b) The City may also seek to enforce the provisions of this Article using any other means  
 1309 available to a Florida municipal corporation in enforcing local law, including those means  
 1310 set forth in Sections 1-13, 1-14 and 21-80 et seq. of this Code.  
 1311
- 1312 (c) Any certificate of compliance issued pursuant to this article may be denied, revoked, or  
 1313 suspended by the Director of Planning Zoning and Economic Development, with  
 1314 coordination from the Chief of Police, Fire Marshal and Building Official, as applicable,  
 1315 upon the adjudication by the City's Special Magistrate or a court of competent jurisdiction of  
 1316 a violation of this article, any city ordinance, or State law by the vacation rental owner for  
 1317 which the certificate of compliance is issued. Such denial, revocation or suspension is in  
 1318 addition to any penalty provided herein.  
 1319
- 1320 (d) Suspension of Vacation Rental Certificate of Compliance: in addition to any fines and any  
 1321 other remedies described herein or provided for by law, a City Special Magistrate or court of  
 1322 competent jurisdiction may suspend a vacation rental certificate of compliance in accordance  
 1323 with the following:  
 1324
- 1325 (1) Suspension timeframes:  
 1326
- 1327 a. Upon a third violation of this article the vacation rental certificate may be  
 1328 suspended for a period of up to three hundred sixty-five (365) calendar days.  
 1329
- 1330 b. Upon a fourth violation of this article the vacation rental certificate may be  
 1331 suspended for a period of up to seven hundred and thirty (730) calendar days.  
 1332
- 1333 c. For each additional violation of this article the vacation rental certificate may be  
 1334 suspended for an additional ninety (90) calendar days up to a maximum period of  
 1335 twelve (12) months.  
 1336
- 1337 d. A vacation rental certificate of compliance shall be subject to temporary  
 1338 suspension beginning five (5) working days after a citation is issued for a  
 1339 violation of the Florida Building Code, or Florida Fire Prevention Code. Such  
 1340 suspension shall remain in place until the vacation rental is re-inspected and it is  
 1341 determined that the violation no longer exists by the City.  
 1342
- 1343 (2) Suspension Restrictions: a vacation rental may not have occupants, as defined herein,  
 1344 during any period of suspension of a vacation rental certificate.  
 1345

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- 1346 a. The suspension shall begin immediately following notice, commencing either:  
1347  
1348 1. at the end of the current vacation rental lease period; or  
1349  
1350 2. within thirty (30) calendar days, whichever date commences earlier, or as  
1351 otherwise determined by the Special Magistrate or court of competent  
1352 jurisdiction.  
1353  
1354 b. Operation during any period of suspension shall be deemed a violation pursuant  
1355 to this article and may be subject to daily fines, as permitted by State and local  
1356 law.  
1357  
1358 c. An application for a renewal may be submitted during the period of suspension;  
1359 however, a certificate of compliance may not be issued for the vacation rental  
1360 until the period of suspension has expired.  
1361

1362 ~~Sec. 14-262. – Owner-occupied short-term rental registration.~~

1363 Section 14-225 - Fees, Penalties and Fines

1364  
1365 ~~(a) – An owner-occupied short-term rental owner registering a vacation rental with the city shall~~  
1366 ~~submit to the city a completed application form, utilizing a form promulgated by the city, together~~  
1367 ~~with a non-refundable registration fee of One Hundred Twenty Five Dollars (\$125.00), per~~  
1368 ~~dwelling unit to cover the City's administrative costs for registration and monitoring. These fees~~  
1369 ~~shall be subject to adjustment as provided in Section 2-421 of this Code.~~

1370  
1371 ~~(b) – A registration application form shall include the following submittals:~~

1372  
1373 ~~(1) – A completed application form which shall be submitted under oath and upon penalty of~~  
1374 ~~perjury.~~

1375  
1376 ~~(2) – A copy of a written notice sent by the vacation unit owner or agent to a mandatory~~  
1377 ~~homeowner's association or condominium/cooperative association or board, if any, that the subject~~  
1378 ~~property or unit will be used as a owner-occupied short-term vacation rental, which notice must~~  
1379 ~~be sent certified mail return receipt requested, and a copy of the green receipt signed by the~~  
1380 ~~addressee indicating receipt of such notice.~~

1381  
1382 ~~(3) – A certification that the property is an owner-occupied short-term rental and that the owner-~~  
1383 ~~occupied short-term vacation rental owner understands the City's requirements for such rentals.~~

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1391 (a) Fees:  
 1392

<u>Vacation Rental License Schedule of Fees</u>	
<b><u>Registration Fee</u></b>	
<i><u>Hosted:</u></i>	<u>\$250.00</u>
<i><u>Non-Hosted:</u></i>	<u>\$1,000.00</u>
<b><u>Annual Renewal Fee</u></b>	
<i><u>Hosted:</u></i>	<u>\$125.00</u>
<i><u>Non-Hosted:</u></i>	<u>\$750.00</u>
<b><u>Application Amendment Fee</u></b>	
<i><u>Hosted:</u></i>	<u>\$75.00</u>
<i><u>Non-Hosted:</u></i>	<u>\$375.00</u>
<b><u>Compliance (Safety) Inspection Fee</u></b>	
<i><u>Hosted:</u></i>	<u>N/A</u>
<i><u>Non-Hosted:</u></i>	<u>\$250.00</u>
<b><u>Safety Inspection Rescheduling Fee</u></b>	
<i><u>Hosted:</u></i>	<u>N/A</u>
<i><u>Non-Hosted:</u></i>	<u>\$125.00</u>

1393 \*the amount of the adopted fees may be reviewed by the City Council on an annual basis and  
 1394 may be amended by resolution.  
 1395

1396 (b) Penalties and Fines:  
 1397

<u>Vacation Rental License Schedule of Penalties</u>	
<b><u>Late Annual Renewal Fee</u></b>	
<i><u>Hosted:</u></i>	<u>\$125.00</u>
<i><u>Non-Hosted:</u></i>	<u>\$500.00</u>

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<b><u>Operating without a DBPR License Penalty</u></b>	
<i>Hosted:</i>	<u>\$250.00</u>
<i>Non-Hosted:</i>	<u>\$500.00</u>
<b><u>Operating without a City-issued Registration and/or Certificate of Compliance and/or Business Tax Receipt</u></b>	
<i>Hosted:</i>	<u>\$500.00</u>
<i>Non-Hosted:</i>	<u>\$500.00</u>
<b><u>Providing False and Misleading Information on Application</u></b>	<u>\$2,500.00</u>
<b><u>Vacation Rental Civil Violation Fines</u></b>	
<b><u>Civil Violation Tickets</u></b>	
<i>First Civil Violation (uncontested)</i>	<u>\$200.00</u>
<i>First Civil Violation (contested):</i>	<u>\$300.00</u>
<i>Repeat Civil Violation Ticket (uncontested)</i>	<u>\$400.00</u>
<i>Repeat Civil Violation Ticket (contested)</i>	<u>\$500.00</u>

1398

1399

**~~Sec. 14-263.—Minimum requirements for issuance of a certificate of compliance.~~**

1400

~~(a) The Director of Planning, Zoning and Economic Development will issue a certificate of compliance to the applicant upon the following:~~

1401

1402

1403

~~(1) The owner-occupied short-term vacation rental owner completing the city registration application form; and~~

1404

1405

1406

~~(2) The owner-occupied short-term vacation rental owner paying the non-refundable registration fee; and~~

1407

1408

1409

~~(3) The owner-occupied short-term vacation rental owner submitting a copy of a written notice sent by the vacation unit owner or agent to a mandatory homeowner's association or condominium/cooperative association or board, if any, that the subject property or unit will be used as a vacation rental, which notice must be sent certified mail return receipt requested, via FEDEX or via UPS. The owner-occupied short-term vacation rental owner must also submit a copy of the return receipt signed by the addressee indicating receipt of such notice; and~~

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1416

~~(4) That the owner-occupied short-term vacation rental is not subject to a suspension pursuant to section 14-203.~~

1417

1418

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1419 ~~Sec. 14-264.— Modification of short-term vacation rental registration.~~

1420

1421 ~~(a)—Amendment of an owner-occupied short-term vacation rental registration shall be required~~  
1422 ~~in the event that any of the following changes to the vacation rental are proposed:~~

1423

1424 ~~(1)—A change in ownership of the owner-occupied short-term vacation rental.~~

1425

1426 ~~(b)—The fee for processing any proposed amendment shall Twenty-Five Dollars (\$25.00). This~~  
1427 ~~fee shall be subject to adjustment as provided in Section 2-421 of this Code.~~

1428

1429 ~~Sec. 14-265.— Duration of owner-occupied short-term vacation rental registration and~~  
1430 ~~certificates of compliance.~~

1431

1432 ~~An owner-occupied short-term vacation rental registration for which a certificate of compliance~~  
1433 ~~has been issued shall be valid for one (1) year after the date of registration, and all registrations~~  
1434 ~~and certificates of compliance shall expire on September 30th of each year.~~

1435

1436 ~~Sec. 14-266.— Renewal of owner-occupied short-term vacation rental registration.~~

1437

1438 ~~The application for renewal together with the One Hundred Twenty-Five Dollars (\$125.00) must~~  
1439 ~~be submitted no later than sixty (60) days prior to the September 30th expiration date. For late~~  
1440 ~~renewals, the fee shall be One Hundred Seventy-Five Dollars (\$175.00) and shall be charged to an~~  
1441 ~~application for renewal submitted prior to the expiration date but after the sixty (60) days required~~  
1442 ~~by this section. All applications for renewal received after September 30th shall be processed as a~~  
1443 ~~new application and subject to all applicable fees. All registrations for which certificates of~~  
1444 ~~compliance were issued within one hundred eighty (180) days prior to September 30th shall remain~~  
1445 ~~valid and shall not expire until September 30th of the following year.~~

1446

