

ORDINANCE NO. 06-19-0229

AN ORDINANCE OF THE FISCAL COURT OF THE COUNTY OF GRANT, KENTUCKY AUTHORIZING AND REGULATING PEER TO PEER SHORT TERM HOME RENTALS

WHEREAS, Peer to Peer rental services are short-term rentals of individual homes; and

WHEREAS, the current Grant County Zoning Ordinance allows for short-term rentals in the applicable zones (§10.1 A-1, §10.2 RR, §10.3 R1A, §10.5 R1C, §10.6 R1D, §10.7 R1E, §10.8 R2, §10.9 R3, §10.11 RMHP); and

WHEREAS, the Fiscal Court of the County of Grant wants to regulate short-term rentals;

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of the County of Grant, Commonwealth of Kentucky, as follows:

Section 1.0 Definitions

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HOST. Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short-term rental.

HOSTING PLATFORM. An internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange short-term rental and payment through the hosting platform.

SHORT-TERM RENTAL PROPERTY (STRP). A residential dwelling unit that is used and/or advertised for rent for transient occupancy by guests. Dwelling units rented to the same occupant for more than ten (10) consecutive days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short-term Rental Property.

TRANSIENT. A person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of no more than ten (10) consecutive days duration.

Section 2.0 Annual Registration Required and Fee for Registration

No person, firm, or corporation shall own or operate a STRP on any premises within Grant County, Kentucky, unless the STRP has been registered annually with the Grant County Fiscal Court.

(A) Each annual registration for a STRP shall be per the procedure prescribed by the Judge-Executive and approved by the Grant County Fiscal Court. The registration form, at a minimum, shall include the following:

- (1) The name, address, phone number, and email address of the host and of a person residing or located within twenty-five (25) miles of the STRP that shall be responsible for addressing any maintenance or safety concerns; and
- (2) The location of the short-term rental.

(B) A floor plan of the residence showing number of bedrooms and location of smoke alarms. The floor plan can be hand-sketched (number of sleeping rooms will be verified against the tax assessor's record). Floor Plans shall show details of all levels of the house and any attached structures, location of windows, doors (interior and exterior), and location of the required smoke detectors.

(C) A statement that the applicant has confirmed that operating the proposed STRP would not violate any Home Owners Association agreement or bylaws, condominium agreement, covenants, codes and restrictions or any other agreement governing and limiting the use of the proposed STRP property.

(D) A business license fee shall accompany the registration of a short-term rental.

Section 3.0 Compliance with all Federal, State, and Local Laws and Regulations

Each separate short-term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

Section 4.0 Duties of a Host

It shall be the duty of a host to ensure that:

- (A) The short-term rental meets the smoke detector requirements set forth by the responding fire department and that a clearly marked evacuation plan is posted on the premises;
- (B) There shall be no more than one contract per short-term rental at a time;
- (C) At no time shall more persons reside in the short-term rental than two times the number of bedrooms plus four; and
- (D) There is no signage on the premises of the short-term rental advertising or identifying the short-term rental. The occupancy maximum shall be conspicuously posted within the STRP

unit. Advertising a STRP for more occupants than allowed by this regulation shall be grounds for revocation of the permit.

(E) There shall be no short-term rentals that are in any structure other than a dwelling that fully complies with the Grant County Zoning Ordinance. No short-term rental shall occur in any recreational vehicle, motorhome, camper, barn, or similar structure or vehicle.

(F) There shall be sufficient parking available for the host and guests and shall not create a demand for parking.

(G) No food shall be prepared for or served to the transient by the permit holder.

(H) The maximum stay for any guest shall be ten (10) consecutive days.

(I) The permit holder shall be responsible for maintaining proper insurance coverage on the STRP.

(J) The permit holder shall be responsible for collecting and remitting all applicable transient room tax, occupancy, and/or sales tax required by state law and Grant County.

(K) Each short-term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

Section 5.0 Expiration and renewal of permit

No person, firm, or corporation shall own or operate a short-term rental on any premises within Grant County unless the short-term rental has been registered annually with the Office of the Grant County Judge-Executive, Grant County Fiscal Court. All STRP permits shall expire on December 31st of each calendar year and is the responsibility of the owner to renew the permit.

1. Renewal applications shall include at minimum:
 - (a) Payment of renewal fee; and
2. A statement verified by affidavit that:
 - (a) Includes all of the information required in an application under Item C, and
 - (b) The STRP continues to be in full compliance with all applicable laws, including payment of all applicable taxes.
3. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.

Section 6.0 Enforcement

Upon the filing of a complaint regarding a STRP permit, the Grant County Fiscal Court and/or Grant County Judge-Executive and/or the Grant County Sheriff (Code Enforcement Officer) shall notify the permit holder in writing or by e-mail of such complaint and follow the process as outlined in the Grant County Nuisance Ordinance (Section 97, et seq.)

If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Grant County Judge-Executive and/or Grant County Fiscal Court may revoke the approval.

Section 7.0 – Provisions Severable

The provisions of this Ordinance are severable; and the invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 8.0 – Conflicting Ordinances Repealed

That all other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 9.0 – Effective Date

This Ordinance shall be effective as soon as possible according to law.

Introduced, and given First Reading and ordered published this the 18th day of June, 2019.

Given Second Reading, passed by the Grant County Fiscal Court and ordered recorded on this the 28th day of June, 2019.

GRANT COUNTY FISCAL COURT

By: 
CHUCK DILLS, GRANT COUNTY JUDGE/EXECUTIVE

ATTEST:

CLERK: 
PATRICIA (PAT) CONRAD
GRANT COUNTY FISCAL COURT

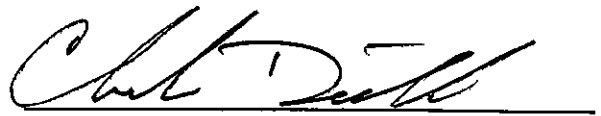
NOTICE

The Grant County Fiscal Court has completed the Second Reading and approved the final passage of Ordinance No. 06-2019-0229.

A full text of the Ordinance is available for inspection in the office of the County Judge/Executive during normal business hours.

AN ORDINANCE RELATING TO THE AUTHORIZATION AND REGULATING OF PEER TO PEER SHORT TERM HOME RENTALS IN GRANT COUNTY KENTUCKY.

Dated: June 28, 2019



Chuck Dills
Grant County Judge/Executive

Attest:



Patricia Conrad
Fiscal Court Clerk