

RESOLUTION NO. 2015-15

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA, AMENDING RESOLUTION NOS. 2008-31, 2011-01, AND 2012-52 BY ESTABLISHING FEES RELATED TO SHORT-TERM VACATION RENTALS; PROVIDING FOR REFUNDS; PROVIDING FOR INCORPORATION INTO FEE SCHEDULE, FEE COLLECTION, AND ESTABLISHMENT OF ACCOUNTS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA, THAT:

Section 1. As provided in Section 3.06.14 of the Flagler County Land Development Code, which section is entitled "Short-term vacation rentals", the schedule of such fees and related fees is established, in the Growth Management Department's *Fee Schedule*, under the "Other Planning Department Fees" heading, as follows:

<u>D. Short-Term Vacation Rental Fees</u>	<u>Fee</u>
Certificate application	\$500
Certificate annual renewal	\$250
Certificate transfer of ownership	\$250
Certificate modification	\$150
Re-inspection	\$100
Inspection "no show"	\$200
Violations (see ss. 3.06.14.K.2)	
First (1st)	\$200
Second (2nd)	\$300
Third (3rd)	\$400
Each repeat violation in excess of three (3)	\$500

Section 2. Refunds shall be available upon request of the property owner, subject to the following:

A. If any application related to short-term vacation rentals has not been distributed for departmental/staff review and receipt of requested refund has been received by the Growth Management Department within thirty (30) days of submittal of an application, a full refund may be requested.

B. If departmental/staff review has begun on any application and a request for a refund is received by the Growth Management Department within thirty (30) days of submittal of an application, a partial refund of fifty percent (50%) of application fees may be requested.

C. If a Short-Term Vacation Rental Certificate has been issued, denied, revoked, or suspended, whether for an initial, renewal, transfer, or modification Certificate, then no refund may be requested.

D. All refund requests will be expeditiously processed and refunded amounts will not be unreasonably withheld by the County.

Section 3. The fees listed herein at Section 1 and the refund policy listed herein at Section 2 shall be incorporated into the Fee Schedule of the Growth Management Department, with all fees herein to be collected by the Growth Management Department and allocated to appropriate accounts created for collection of such fees. Through this Resolution, the Board of County Commissioners authorizes the creation of appropriate accounts for the collection, accounting, disbursement, and refund of these fees.

Section 4. The "Short-term vacation rentals" program is the first regulatory program of this nature enacted by Flagler County. The Growth Management Department identification of fees is based on research of other jurisdictions and best estimates. The Department will review the fees and the labor and expense associated with processing certificates and inspections in six (6) months. If as a result of this evaluation the fees are found to exceed regulatory costs, the Department will provide rebates to fee payers as appropriate and petition the Board of County Commissioners to modify the fee schedule as appropriate.

Section 5. That if any section, clause, sentence or phrase of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Resolution.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution shall be repealed to the extent of such conflict.

Section 7. That this Resolution shall be in full force and take effect on March 4, 2015.

APPROVED in open session by the Flagler County Board of County Commissioners in Bunnell, Florida, on this ^{3rd} day of March, 2015.

**FLAGLER COUNTY BOARD
OF COUNTY COMMISSIONERS**

Frank J. Meeker, Chairman

ATTEST:

Gail Wadsworth, Clerk of the
Circuit Court and Comptroller

APPROVED AS TO FORM:

Albert J. Hadeed, County Attorney

