<u>ORDINANCE NO. 608</u>

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, AT CHAPTER THIRTY, LICENSES AND BUSINESS REGULATIONS, BY AMENDING ARTICLE VII, BUSINESS PERMIT SECTION 30-157, RESIDENTIAL RENTAL REGISTRATION, TO ALTER THE REPORTING REQUIREMENTS CONTAINED THEREIN, AND SECTION 30-158, FEE, TO ESTABLISH A NEW FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by adoption of Ordinance No. 603 on June 3, 2013, the Town Commission established a rental registration procedure for all property owners within the Town who lease property located in a residential zoning district not governed by a cooperative or condominium association or otherwise exempt; and

WHEREAS, the Town Commission has determined that the application of Ordinance No. 603, as presently constituted, has led to confusion, concerns expressed by landlords for the privacy of their tenants, and an administrative burden on Town staff; and

WHEREAS, the Town Commission has determined that a more streamlined, less intrusive rental registration process would address the concerns of landlords as well as the residents of the Town and the Town staff; and

WHEREAS, the Town Commission has determined that the amendments to Sections 30-157 and 30-158 of the Towns Code of Ordinances, the codification of Ordinance No. 603, as set forth herein will continue to protect the unique character of the Town's residential zoning districts and be in the best interests of the public health, safety and welfare of the citizens and residents of Ocean Ridge; and

WHEREAS, given the nature of the amendments to the rental registration procedure provided for herein and the alteration of the administrative tasks involved in implementing the amended procedures, the Town Commission deems it appropriate to reduce the registration fees previously established in Ordinance No. 603.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 - Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 30, LICENSES AND BUSINESS REGULATIONS, Article VII, Section 30-157 and Section 30-158 are hereby amended as follows:

Chapter 30. LICENSES AND BUSINESS REGULATIONS

ARTICLE VII. BUSINESS PERMIT

Sec. 30-157. Residential Rental Registration.

a) Every person engaging in the lease of real property located in a residential zoning district not governed by a cooperative or condominium association or otherwise exempt, shall register all rental properties with the Town on a form provided by the Town for that purpose. For purposes of this section and section 30-158 below, a "rental property" shall be defined as a single family, duplex, triplex or multi-family dwelling.

b) The rental registration shall include the number of rental properties being registered and, for each rental property, valid information concerning, but not limited to, owner's name and address, the property control numbers, addresses, and number of units contained in each rental property being registered. All rental properties in the Town owned by a single owner may be included in a single rental registration form.

c) Registration shall be required annually no later than January 31 for all rental properties leased or held for lease as of January 1. For properties not leased or held for lease as of January 1, that become leased after that date, a rental registration form shall be required to be provided to the Town no later than fifteen (15) days after the commencement of the lease period.

d) Properties that are governed by a not-for-profit association pursuant to Chapters 718, 719, Florida Statutes, are exempt from the Town's residential rental registration program.

e) The provisions of this section may be enforced and penalties imposed for violations of this section as provided by law. Without limiting the Town's right to impose any other penalties as provided by law, or to enforce this section by any other lawful means, a violation of this section shall be subject to code enforcement procedure and penalties contained in Chapter 16.

Sec. 30-158. Fee.

The regulatory fee for the Town's rental registration program is $35.00 per rental registration. Such fee is payable at the time of submission of the rental registration form by all persons engaged in leasing real property in a residential zoning district, unless exempted by the terms of this article or as may be otherwise exempted by law.

SECTION 3 – Severability: In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 4 - Repeal of Ordinances: Any ordinance in conflict herewith, to the extent of such

conflict, is hereby repealed.

SECTION 5 – Codification: This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 11th day of August, 2014.

SECOND AND FINAL READING this 9th day of September, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor   _____

DR. LYNN L. ALLISON, Vice Mayor   _____

GAIL ADAMS AASKOV Commissioner   _____

 JAMES BONFIGLIO, Commissioner   _____

 RICHARD LUCIBELLA, Commissioner   _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 9th day of September, 2014.

TOWN OF OCEAN RIDGE, FLORIDA

BY:_____
       GEOFFREY A. PUGH, MAYOR

ATTEST:_____
            TOWN CLERK