



ITEM NO. 14B3

North Bay Village Recommendation Memorandum

DATE: September 13, 2021

TO: Honorable Mayor, Vice Mayor and Members of the Village Commission

FROM: Madalyn Medrano, Commission Aide

SPONSORED Mayor Brent Latham

BY:

SUBJECT: Discussion on the Creation of a Vehicle for Residents to Provide Input
on STVRs - Sponsored by Mayor Brent Latham

RECOMMENDATION

The Village Commission should consider the creation of a vehicle to allow residents to provide input on a regular or semi-regular basis for concerns surrounding STVRs. The Village code of ordinances has specific criteria for resident groups, and Village administration shall ensure the vehicle created will be in compliance with relevant regulations. Depending on the vehicle chosen, some personnel impacts may include the Police Department, Code Enforcement Division, Village Attorney, and the Village Clerk's office.

BACKGROUND AND ANALYSIS

Short term vacation rental (STVR) enforcement is one of the top priorities for the Village Commission, staff, and residents of North Bay Village. The State of Florida Legislature has passed laws regarding how local governments can regulate STVRs. State law limits the Village's regulatory authority with respect to vacation rentals. Specifically, State law prevents local governments, such as the Village, from adopting local laws that prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. See Section 509.032(7)(b), Florida Statutes. The State preemption does not apply to local laws, ordinances, or regulations adopted on or before June 1, 2011. Id. Because the Village does not have a pre-2011 ordinance prohibiting vacation rentals and in light of the current status of state law, the Village cannot prohibit vacation rentals. However, state law does not prevent the Village from adopting ordinances specific to vacation rentals to address some of the noise, parking, trash and life-safety issues created by the proliferation of vacation rentals in residential neighborhoods.

The Honorable Mayor Latham has been at the forefront of addressing the complex issues regarding STVRs on the local and State level. Mayor Latham was successful in organizing and leading residents to contact our State legislators to oppose FL Senate bills intended to strip local governments from enforcing STVR regulations in the community. Under the leadership of the Mayor, Vice Mayor, and Commissioners, the Village has seen noticeable success in enforcement actions against illegal and legal STVRs. However, residents want to be heard and have been involved in providing valuable input surrounding the multifaceted challenges regarding monitoring, regulating, and enforcing STVRs in their neighborhoods.

The proposed formation of a citizens committee on STVRs tasked with the following:

- Follow STVR legislation and proposals at the state level and provide feedback on positions and lobbying activities
- Work with the Mayor and Village Commission on legislative strategy vis a vis STVRs
- Maintain a working relationship with the Code Enforcement Department to monitor existing STVRs
- Review fines and magistrate hearings to understand and give feedback on volume of enforcement
- Give feedback on enforcement policy
- Communicate policies to fellow residents and serve as a source of information and action for the community regarding STVRs in NBV
- Interact and communicate with STVR owners indirectly to promote community values

BUDGETARY/FINANCIAL IMPACT (Finance Dept.)

To be determined, based upon the cost of collateral materials and other items

PERSONNEL IMPACT

To be determined, based upon the expected role of staff and frequency of meetings, among other variables