



Office of the
**INDIAN RIVER COUNTY
ADMINISTRATOR**

John A. Titkanich, Jr., County Administrator
Michael C. Zito, Assistant County Administrator

MEMORANDUM

TO: Members of the Board of County Commissioners

FROM: John Titkanich, Jr., County Administrator

DATE: June 14, 2023

SUBJECT: Vacation Rental Code Enforcement Fines

Background & Discussion

The County has received concerns regarding the impact of vacation rentals on the surrounding and neighboring residential properties. Section 911.15 (9), Indian River County Code provides licensure and use regulations and sections 911.15(4) and 912.17(2), Indian River County Code governs parking for vacation rentals. Generally, the County Code contains requirements related to use, parking, noise, occupancy, and fire safety.

Vacation rentals located within a residential neighborhood may impact the quality of life of the neighborhood. In recent months there has been heightened interest regarding the impacts and the sufficiency of code enforcement fines imposed for violations of vacation rental regulations.

Chapter 162, Florida Statutes, provides counties the power to enforce codes and impose administrative fines. Section 162.09 (2)(a), Florida Statutes, provides for limitations for fines imposed, which shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation. However, sub-section (2)(d) provides counties having a population of 50,000 or greater, based on a supermajority vote of the Board of County Commissioners, to impose fines at higher amounts. First violation fines may be imposed at an amount not to exceed \$1,000 per day and \$5,000 per day violation for a repeat violation, and up to \$15,000 per violation in certain circumstances. The County currently imposes these levels of fines for (1) a commercial event at a residence, and (2) an illegal connection to the public water supply.

In response to the rising concerns and potential deleterious impacts imposed on the community, the Board of County Commissioners could amend Section 103.03 of the County Code to add the violation of the County's vacation rental local regulations to those violations subject to the higher level of fines imposed.

Staff Recommendation

Direct the County Attorney to prepare an Ordinance amending Section 103.03, Indian River County Code to include vacation rental local regulations, and advertise the item for a Public Hearing.