RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE PINELLAS SUNCOAST FIRE & RESCUE DISTRICT FOR THE PURPOSE OF PROTECTING THE LIFE AND PROPERTY OF THOSE PARTIES WHO OCCUPY, OWN, AND RESIDE IN TRANSIENT, VACATION, SHORT-TERM, AND/OR TIMESHARE RENTALS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Pinellas Suncoast Fire & Rescue District, hereinafter referred to as the "District," finds it necessary to require annual registrations and shall complete regular inspections as defined by the Authority Having Jurisdiction (AHJ) for transient, vacation, short-term, and timeshare rentals for the purpose of saving lives and preserving property.

WHEREAS, this Resolution shall be in compliance with Florida Statute 633, Florida Administrative Code 69A-43, Florida Statute 509.215, Florida Statute 553.79(13), and the most current edition of the Florida Fire Prevention Code.

WHEREAS, the District has the authority to enact Resolutions related to the prevention of fires and preservation of property (CH 2000-436).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE PINELLAS SUNCOAST FIRE AND RESCUE DISTRICT THAT:

SECTION ONE: It is the intention of the District that all transient, vacation, short-term, and timeshare rentals, and non-owner-occupied two-family homes, register with the District annually to ensure that required fire and life safety inspections are conducted.

SECTION TWO: Within 120 days from the effective date of this Resolution, all transient, vacation, short-term, and timeshare rentals, and non-owner-occupied two-family homes, shall be registered with the District and provide the following:

A. Full legal name and contact information for the property owner(s) (this shall include a local responsible representative if the owner(s) are not local, telephone number(s), mailing address, and electronic mail (e-mail) contact.

B. Property owner and/or local representative will be available via phone, e-mail, or in person within twenty-four (24) hours of a District request.

C. It shall be unlawful for any owner, agent, or realtor to rent any property as defined herein that is not registered or has not had the required fire inspection with the District.

D. Updates to registration information are required every year during the month of November. Properties that do not submit a current registration, by the end of the calendar year, December

31st, will be required to pay a new registration fee as defined in the Pinellas Suncoast Fire & Rescue District Schedule of Fees.

E. When a property is sold, the registration shall automatically expire. If the new owner will use the property as a rental as defined in this Resolution, registration and the required fire inspection shall be completed prior to renting.

SECTION THREE: The verbiage contained herein shall have the following meanings:

A. **Transient Public Lodging Establishment**: Any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings that is rented to guests more than three (3) times in a calendar year for periods of less than 30 days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. (509.013 (4)(a)1)

B. **Vacation Rental**: A vacation rental is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two (2) family, three (3) family, or four (4) family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. (509.242 1(c))

C. **Timeshare Rentals**: Single-family or two-family homes that are licensed per FS Chapter 721, which are advertised as a transient rental.

D. **Short-Term Rental**: For this resolution, a short-term rental encompasses all preceding definitions above (A, B, and C).

SECTION FOUR: Properties defined in this Resolution shall comply with the following posting and inspection requirements:

A. District-issued Life Safety Division decals shall be displayed on an exterior window of the rental unit, on the address side of the structure.

B. Occupant load signage as granted by Pinellas County Section 138-3232(c)(1), or the municipality in which the short-term rental is located.

C. Properties shall be made available for a fire and life safety inspection, upon receiving a 30-day notice from the District.

D. Multiple inspections within a 12-month period shall only be conducted at the District's discretion considering property ownership changes; permitted work or alterations; investigation of fire or life safety issues; reports of, or suspected non-compliance.

E. Fire code violations that are deemed imminent hazards shall be abated within 72 hours.

F. All other violations shall be abated within 45 days; this abatement period may be extended at the request of the owner if a mitigation plan is submitted and accepted by the District.

SECTION FIVE: Fees shall include but are not limited to the following:

A. A registration fee identified in the Pinellas Suncoast Fire & Rescue District Schedule of Fees. There shall be no fee for the required annual update each November unless the property fails to provide the required update by December 31st. Properties failing to provide the update shall be subject to the original registration fee, and the failure to submit fee if applicable, as outlined in the Pinellas Suncoast Fire & Rescue Schedule of Fees.

B. Inspection and re-inspection fees as defined in the Pinellas Suncoast Fire & Rescue Schedule of Fees.

SECTION SIX: Parties found to be in violation of this Resolution shall face penalties as outlined in the Pinellas Suncoast Fire & Rescue Schedule of Fees.

SECTION SEVEN: The following properties shall be excluded from this Resolution:

A. Homes, not advertised to the public as a transient, vacation, short-term, or timeshare rental.

B. Two-family homes where the owner occupies one (1) unit for a minimum of six (6) months per year; however, if the other unit is utilized as short-term rental, that portion will be inspected.

C. Single-family homes that are owner-occupied.

SECTION EIGHT: If any portion of this Resolution is declared invalid by a court of competent jurisdiction, the remaining sections shall remain enforceable and in effect.

PASSED AND ADOPTED on the 20th day of June, 2023.

PINELLAS SUNCOAST FIRE & RESCUE DISTRICT

Board of Commissioners: ATTEST:

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Louis R. Snelling, IV
Chair

Lawrence G. Schear
Secretary/Treasurer