Vacation rentals (residential units rented-out or offered for rent for a period of less than 30 days) are allowed in unincorporated Indian River County, subject to the following:

1. State license from the Florida Department of Business and Professional Regulation (DBPR): 850-487-1395 or www.myfloridalicense.com/dbpr


3. Register with the Clerk of the Court for tourist development tax: 772-226-3164

4. Compliance with Indian River County special parking regulations for vacation rentals (regulations attached):
   - Maximum number of cars **parked outside a carport or garage**:
     - Rental unit without carport or garage: 2 parking spaces plus 1 space per bedroom with a maximum total of 5 spaces
     - Rental unit with carport and/or garage: 1 parking space per bedroom with a maximum total of 5 spaces.

5. Compliance with prohibition: No single-family residence, including a vacation rental single-family unit, can be rented-out for a wedding or a similar event characterized by music, dancing, catered food, tents, outdoor tables, alcohol, or use of shuttles or valets for guests.
   - Exemption: Agricultural property 4 acres or larger upon obtaining a temporary use permit (TUP) from County Planning.

6. Vacation Rental license from County Community Development Department (application attached) and compliance with county vacation rental ordinance (Ord. No. 2016-006).

COMPLAINTS ABOUT VACATION RENTAL VIOLATIONS [may remain anonymous]

Unincorporated County: Code Enforcement Office: 772-226-1249

Report of public disturbance/nuisance: Sheriff’s Office 772-569-6700 option 2

City of Vero Beach: Tom Ramsey (south zone) 772-978-4551
Melody Sanderson (north zone) 772-978-4561
On-Line: covb.org Departments/Code Enforcement

ATTACHMENTS: 1) IRC Vacation Rental Parking & Commercial Event Prohibition
2) Commercial Event at Residence Code Enforcement
3) IRC Vacation Rental License Application
4) State Guide to Vacation Rentals
Indian River County Vacation Rental Parking Regulations and Commercial Event Prohibition

Vacation rental: any residential dwelling which is rented or leased more than three times in a calendar year to a tenant, individual, group of individuals, or party for a period of less than 30 days, or which is advertised or held out to the public as a dwelling which may be regularly rented or leased for a period of less than 30 days. [901.03]

Vacation Rental Special Parking Regulations

1. For a vacation rental that has a carport or garage, the number of automobiles that may be parked outside of a carport or garage shall be limited to one automobile per bedroom not to exceed a total of five (5) automobiles parked outside the carport or garage. Automobiles parked outside of a carport or garage shall be parked within a designated and improved or stabilized driveway and not within any required yard area.

2. For a vacation rental that has no carport or garage, the total number of automobiles parked shall be limited to two automobiles plus one automobile per bedroom not to exceed a total of five (5) automobiles parked on site. Automobiles parked outside of a carport or garage shall be parked within a designated and improved or stabilized driveway and not within any required yard area.

3. For all vacation rentals, all automobiles except for service and delivery vehicles shall be parked on-site and shall not be parked within a road right-of-way except within a designated and improved or stabilized driveway. [911.15(4); repeated in 912.17(2)]

Reference: Ordinance 2015-014; Code (LDR) sections 901.03, 911.15(4), 912.17(2)

Commercial Event at Residence Prohibited

“Commercial event at residence”: a gathering of people for a celebration that may include but not be limited to a: birthday, anniversary, wedding, reunion or sporting event characterized by music (live or recorded), dancing, catered food, tents, outdoor tables, alcohol or use of shuttles or valet for guest.

1. Held or occurring at single family residence.
2. Leased by the owner or the owner’s agent for consideration in exchange for holding the event at the residence.

(8) – Prohibition of commercial event at residence

(a) As defined in 901.03, it shall be a violation of this code for any owner to lease a single family residence as a location for a commercial event at residence to be held. It shall be prima facie evidence of a violation of this code for an owner to advertise or hold out the property to be used as a location for a commercial event at residence.

(b) A commercial event at residence held at a site that is:
   1. Four acres or greater in area and
   2. At a site that is zoned agricultural or
   3. At a site used for agricultural purposes

      Must first apply for and receive a Temporary Use Permit as prescribed by IRC Code Chapter 972 prior to conducting the commercial event at residence.

(c) If the owner of the property is not on the premises at the time of a commercial event at residence, it shall be a rebuttable presumption of a violation of this section.

Reference: Ordinance 2015-013; Code (LDR) sections 901.03, 911.15(8), 912.18(3)
Indian River County Code Enforcement Process
Commercial Event at Residence (e.g. weddings)

- County code prohibits the renting of a residence for the purpose of conducting a "commercial event" such as a wedding or celebration characterized by music (live or recorded), dancing, catered food, tents, outdoor tables, alcohol, or use of shuttles or valet for guests.

- If a citizen suspects a prohibited event is going to take place or is taking place, they should contact IRC Code Enforcement at 772-226-1249 or online at: http://cdplus.ircgov.com/CodeSearch/codesearch.dll/6C9E7u3GduwICBDAmkGCBq/$/. Pictures or any evidence of a violation submitted by a citizen are welcome and can be used as evidence. Evidence submitted "after-the-fact" is still relevant to any investigation.

- Citizen complaints can be made anonymously.

- Upon receiving a complaint, a Code Enforcement Officer will investigate.

- If a first time violation is verified, the violator will be advised of County code requirements and sent a warning letter.

- If any subsequent violations occur, code enforcement action will be taken. Fines for commercial event at residence violations are as follows:
  
  - First violation after warning: $1,000 per event*
  - Repeat violation: $5,000 per event*

* NOTE: these fine amounts were adopted by the Board of County Commissioners on June 21, 2016.
INDIAN RIVER COUNTY
VACATION RENTAL LICENSE APPLICATION

CODE ENFORCEMENT SECTION
COMMUNITY DEVELOPMENT DEPARTMENT
1801 27TH STREET (BUILDING A)
VERO BEACH, FLORIDA 32960
(772) 226-1249

DATE RECEIVED

Note: Required acknowledgment form attached

Applicant name ________________________________

Applicant mailing address ________________________________
City, State, ZIP ________________________________

Applicant phone number ________________________________

Applicant email address ________________________________

Vacation Rent Unit address ________________________________
City, State, ZIP ________________________________

1. Rental unit manager contact information:
Manager name: ________________________________
Cell phone number: ________________________________
Email address: ________________________________
Mailing address: ________________________________

2. Attach the following: Attached Not Attached
a. State license for vacation rental unit
b. Local business tax receipt from the Tax Collector
c. Local tourist tax account # from the Clerk of the Circuit Court

3. Parking information:
Total number of garage and/or carport parking spaces: ________
Location and number of parking spaces accommodated on improved or stabilized driveway (attach sketch or aerial): ________

4. Verification that state license fire protection items have been provided in the vacation rental unit: smoke alarms, emergency lighting, fire extinguisher. Verification of carbon monoxide (CO) alarm, when required.
Provided in rental unit Not Provided in rental unit

F:\COMMUNITY DEVELOPMENT\APPLICATIONS\CODE ENFORCEMENT APPLICATIONS\VACATION RENTAL LICENSE.DOC
5. Unit is served by (check one): Public sewer: _____  On-site septic/drainfield system: ______

Note: If served by an on-site sewage treatment and disposal system, the applicant is required to provide an existing system evaluation approved by the Health Department if the Health Department has no record of the system size permitted by the department. Code Enforcement will contact you if the Health Department has no record of the system size.

6. Total Number of bedrooms: ______

Square footage of each bedroom: ____________________________

7. Execute and attach the vacation rental regulations acknowledgement form.

8. Application fee submitted: $250.00

THE ABOVE INFORMATION AND STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I WILL COMPLY WITH CHAPTER 911.15(9), LAND DEVELOPMENT REGULATIONS OF INDIAN RIVER COUNTY, FLORIDA.

APPLICANT NAME (PRINT): ________________________________

APPLICANT SIGNATURE __________________________ DATE _________

STATE OF FLORIDA, COUNTY OF INDIAN RIVER SWORN AND SUBSCRIBED TO BEFORE ME THIS _______ DAY OF ______, 20___, WHO IS/ARE PERSONALLY KNOW TO ME OR HAVE PRODUCED THEIR, __________________________

AND WHO DID NOT TAKE OATH:

______________________________

NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

MY COMMISSION EXPIRES: ________________

____________________________________FOR OFFICE USE ONLY________________________________

DATE RECEIVED: ________________ DATE ACCEPTED: ________________

PROJECT/APP REQ #: ________________ STVRL #: __________________

REVIEWER: ______________ APPROVED: _____ DENIED: _____ BY: __________________

EXPIRATION DATE: ________________
INDIAN RIVER COUNTY
VACATION RENTAL REGULATIONS
ACKNOWLEDGMENT FORM

1. I have reviewed and understand the following vacation rental regulations:
   a. Prohibition on commercial events at residence (e.g. weddings and celebrations).
   b. Special parking regulations.
   c. Sea turtle protection lighting regulations and dune protection regulations (for rental units located east of SR A-1-A).
   d. Noise regulations: Chapter 974 noise regulations which include day and night decibel level limitations, more stringent “no disturbance” requirements from 10 pm to 6 am, and no excessive noise that would cause annoyance to any reasonable person of normal sensitivity.
   e. Limitations on dock/boat use: (for waterfront rental units): no more than 2 boats moored per dock, dock used by unit owner or renter only, no live-aboard use; (all rental units): no more than 2 boats stored or parked per unit.
   f. Fire safety requirements and maximum sleeping occupancy limitations.
   g. Fines and citation penalties for violations.

2. The following information has been posted or displayed inside the vacation rental unit:
   a. Manager contact information.
   b. Maximum number limit of parked automobiles and boats, and approved parking locations.
   c. Trash and recycling pick-up days and protocol for placing and retrieving/storing containers.
   d. Noise regulations: day and night decibel level limitations, more stringent “no disturbance” requirements from 10 pm - 6 am, and no excessive noise that would cause annoyance to any reasonable person of normal sensitivity.
   e. Location of smoke alarms, emergency lighting, and fire extinguisher.
   f. Emergency room information.
   g. Sea turtle protection lighting information and dune protection information (for rental units located east of SR A-1-A).
   h. Maximum sleeping occupancy (number of persons).

3. I have contact any applicable property owners association or homeowners association and am aware of any applicable private restrictions.

4. I will ensure that any advertisement and any rental offering associated with the vacation rental unit will contain the following information:
   a. Local license number.
   b. Occupancy limit confirmed by the County Code Enforcement Officer.
   c. Maximum number of vehicles allowed to be parked outside a carport or garage.
   d. Noise regulation summary (see item 1d. above).
   e. Commercial event at residence prohibition.
   f. [For any unit located east of SR A-1-A] Requirements of 932.09(1), 932.09(4), and 932.06(1)-(4).

I hereby acknowledge that I fully understanding and have provide the proper information noted above:

Applicant Name (print): ______________________ Date: ____________
Applicant Signature: ______________________

Attached for applicant's reference:
1. Prohibition on commercial events at residence 911.15(8)
2. Special parking regulations 911.15(4)(b)
3. Vacation rental regulations 911.15(9)
4. Noise Regulations Chapter 974
5. Limitations on dock boat use 917.06(6) & 932.07(1)
6. Sea Turtle protection regulations 932.09(1) and 932.09(4) and dune protection 932.06(1)-(4)
7. Fines and citations
DEFINITION

Commercial event at residence — a gathering of people for a celebration that may include but not be limited to a: birthday, anniversary, wedding, reunion or sporting event characterized by music (live or recorded), dancing, catered food, tents, outdoor tables, alcohol or use of shuttles or valet for guests.

1. Held or occurring at single-family residence.
2. Leased by the owner or the owner's agent for consideration in exchange for holding the event at the residence.

911.15(8)

Prohibition of commercial event at residence.

(a) As defined in Section 901.03, it shall be a violation of this Code for any owner to lease a single-family residence as a location for a commercial event at residence to be held. It shall be prima facie evidence of a violation of this code for an owner to advertise or hold out the property to be used as a location for a commercial event at residence.

(b) A commercial event at residence held at a site that is:
   1. Four (4) acres or greater in area; and
   2. At a site that is zoned agricultural; or
   3. At a site used for agricultural purposes
      must first apply for and receive a temporary use permit as prescribed by IRC Code Chapter 972 prior to conducting the commercial event at residence.

(c) If the owner of the property is not on the premises at the time of a commercial event at residence, it shall be a rebuttable presumption of a violation of this section.

(d) Notwithstanding the prohibitions contained in paragraph (a) above, should this ordinance impair an existing contract for a commercial event at residence that is scheduled to be performed prior to September 30, 2016, holding the commercial event at residence shall not be a violation of this Code, so long as the contract documents are provided to the community development director by October 31, 2015.

911.15(4)(b)

Parking or storage of vehicles.

(b) Parking or storage of automobiles. Except as provided in subsections 1—3. below, a maximum of three (3) automobiles (not including recreational vehicles) may be parked outside of a carport or garage on a single-family zoned lot. However, one (1) additional vehicle for each licensed driver permanently residing at the premises may be parked on the lot. No automobile may be parked or stored in any required yard area except in a designated and improved or stabilized driveway. The limitations on the number of automobiles parked outside of a carport or garage shall not preclude the parking of automobiles by persons visiting a single-family home.

1. For a vacation rental that has a carport or garage, the number of automobiles that may be parked outside of a carport or garage shall be limited to one automobile per bedroom not to exceed a total of five (5) automobiles parked outside the carport or garage. Automobiles parked outside of a carport or garage shall be parked within a designated and improved or stabilized driveway and not within any required yard area.

2. For a vacation rental that has no carport or garage, the total number of automobiles parked shall be limited to two automobiles plus one automobile per bedroom not to exceed a total of five (5) automobiles parked on site. Automobiles parked outside of a carport or garage shall be parked within a designated and improved or stabilized driveway and not within any required yard area.

3. For all vacation rentals, all automobiles except for service and delivery vehicles shall be parked on-site and shall not be parked within a road right-of-way except within a designated and improved or stabilized driveway.
Chapter 974

Section 974.01. Short title and purpose.
This chapter shall be known and may be cited as the "Indian River County Noise and Vibration Control Ordinance."

It is the purpose and intent of this chapter to regulate uses and activities in such a manner as to prevent excessive noises and vibrations which degrade the quality of life, disturb the public peace, and jeopardize the health, safety and welfare of the citizens of Indian River County. It is further the intent of this chapter to recognize that factors such as the time of day, location (e.g., proximity to residences), and necessity of sounds incidental to allowed uses and activities must be considered in balancing the protection of public peace, individual freedoms and private property rights.

(Ord. No. 90-16, § 1, 9-11-90)

Section 974.02. Definitions referenced.
The definitions of certain terms used in this chapter are set forth in Chapter 901, Definitions, of the Indian River County Land Development Code.

(Ord. No. 90-16, § 1, 9-11-90)

Section 974.03. Noise and vibration restrictions, in general.
It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary, or unreasonably loud noise or vibration which disturbs the peace or quiet of any neighborhood or which would cause discomfort or annoyance to any reasonable person of normal sensitivity. Moreover, it shall be prohibited for any person to engage in any use or activity that creates any such noise or vibration contrary to the specific provisions of this chapter.

(Ord. No. 90-16, § 1, 9-11-90)

Section 974.04. Specific noise and vibration prohibitions.
The following standards and restrictions shall apply to uses and/or activities in unincorporated Indian River County, except as may conflict with the provisions of section 974.06, Exemptions, of this chapter. Uses and/or activities in compliance with the standards and restrictions of this section shall not be subject to the noise control standards set forth in section 974.05.

(1) Radios, television sets, musical instruments, and similar devices. It shall be unlawful to use, operate, or permit to be played, used, or operated, any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the production or reproduction of sound between the hours of 10:00 p.m. and 6:00 a.m. in such manner as to create a noise or vibration disturbance to neighboring premises. Pertaining to radios, cassette players, disk players and similar devices associated with motor vehicles, no such device shall be operated in such a manner as to create a noise or vibration disturbance at one hundred (100) feet or more from such device, when operated on a public right-of-way or public space.

(2) Construction equipment and activity. It shall be unlawful to operate any equipment or perform any outside construction or repair work on buildings, structures, roads, or projects within the county between the hours of 8:00 p.m. and 6:00 a.m. unless an administrative approval as set forth in section 974.07 for such construction or repair work between such hours has been obtained from Indian River County on the basis of good cause shown.
(3) **Engine mufflers.** It shall be unlawful to operate any internal combustion engine, including such an engine associated with a motor boat, or motor vehicle without a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(4) **Animal noises.** It shall be unlawful to keep or maintain any animal (including birds) without providing and maintaining adequate sound-control techniques to eliminate any excessive, offensive, and unnecessary noise. This provision shall not apply to property within an agricultural zoning district.

(5) **Vehicle repair in residential areas.** It shall be unlawful to repair, rebuild, or test any motor vehicle between the hours of 8:00 p.m. and 6:00 a.m. on property within or abutting any residential zoning district in such a manner as to disturb the peace, quiet, and comfort of the residents of the area.

(6) **Activities in the vicinity of schools, courts, churches, and hospitals.** It shall be unlawful to create any excessive noise on any street adjacent to any school, court, church, or hospital which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in a hospital.

(7) **Loading or unloading of vehicles, opening bales, and boxes.** It shall be unlawful to make, create, or maintain any loud or excessive noise within the county that would result in a disturbance to neighboring properties in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates, or containers.

(8) **Peddlers, hawkers, or vendors.** It shall be unlawful for peddlers, hawkers, or vendors to shout or cry along or on a roadway to the disturbance of the peace or quiet of a neighborhood.

(9) **Drums, cymbals, and loudspeakers.** It shall be unlawful to create, make, or maintain any noise by the use of any drum, cymbals, loudspeaker, or other similar instruments in the county for the purpose of attracting attention to any performance, show, sale, or display of merchandise, or place of business. This provision shall not apply to ice-cream trucks or approval public events.

(10) **Bells or sirens on vehicles.** It shall be unlawful for any person to use in conjunction with any unauthorized vehicle any bell or siren similar to that used on ambulances or vehicles of the sheriff, fire departments, and other public safety agencies.

(11) **Skateboard ramps.** It shall be unlawful to use any skateboard ramp or similar configuration between 8:00 p.m. and 6:00 a.m. in a residential zoning district in such a manner that would result in a disturbance to neighboring properties.

(12) **Air-blow cleaners.** It shall be unlawful for any person to operate any air-blow cleaning equipment or similar devices for the cleaning of parking lots, walkways, driveways, or similar areas between the hours of 10:00 p.m. and 6:00 a.m. that would result in a disturbance to neighboring properties.

(13) **Places of public entertainment.** It shall be unlawful for any public entertainment establishment or person associated with or working for said establishment to operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device between the hours of 9:00 p.m. and 6:00 a.m. in such a manner as to create noise or vibration that is a disturbance to neighboring premises.

(14) **Sounding of train horns or whistles.** It shall be unlawful for any engineer, conductor, fireman or other person in charge of or in control of any locomotive or railroad train of any railroad company operating wholly within this state to sound any railroad train horn, whistle or other audible warning signal between 10:00 p.m. and 6:00 a.m. in advance of or at any rail highway crossing located within Indian River County, providing that the crossing is equipped with train-activated automatic traffic-control devices, which shall include, flashing lights, bells and crossing gates.

(15) **Landscape maintenance.** It shall be unlawful for any person to undertake landscape maintenance activities in such a manner as to create a noise or vibration disturbance to neighboring premises between the hours of 8:00 p.m. and 6:00 a.m.

(16) **Power generators.** It shall be unlawful for any person to manually or automatically exercise or test a power generator in such a manner as to create a noise or vibration disturbance to neighboring premises between the hours of 6:00 p.m. and 8:00 a.m. Manual or automatic exercising or testing
of power generators shall be for the minimum duration necessary to meet manufacturer's specifications.

(Ord. No. 90-16, § 1, 9-11-90; Ord. No. 2009-016, § 1, 10-13-09)

Section 974.05. Additional noise control standards by zoning district.

Except as may conflict with the specific noise and vibration provisions of section 974.04, it shall be unlawful to project a sound or noise from one property into another property within the boundary of the zoning district which exceeds the limiting noise spectra set forth in Table I below.

1. Sound or noise projecting from one district into another zoning district with a different noise level shall not exceed the limits of the district into which the noise is projected.

2. The limits hereinabove referred to shall be in accordance with the following table:

**TABLE I. APPLICABLE NOISE LIMITS**

Measurement period one-quarter hour (continuous), as measured at the property boundary of the receiving parcel. In multifamily developments (including duplex developments), the measurement shall be taken from the receiving premises.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Sound Level in Decibels A-Scale (DBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Day</td>
</tr>
<tr>
<td></td>
<td>6:00 a.m.—10:00 p.m.</td>
</tr>
<tr>
<td>Conservation</td>
<td>65</td>
</tr>
<tr>
<td>Residential</td>
<td>70</td>
</tr>
<tr>
<td>Commercial</td>
<td>75</td>
</tr>
<tr>
<td>Industrial</td>
<td>75</td>
</tr>
<tr>
<td>Agricultural*</td>
<td>75</td>
</tr>
</tbody>
</table>

- Level L(1). That noise (A-weighted sound level) exceeding one percent of a measurement time equivalent to at least fifteen (15) minutes.
- Level L(10). That noise (A-weighted sound level) exceeding ten (10) percent of a measurement time equivalent to at least fifteen (15) minutes.
- Level L(50). That noise (A-weighted sound level) exceeding fifty (50) percent of a measurement time equivalent to at least fifteen (15) minutes.

*Residential developments within Agricultural Zoning Districts shall be subject to the decibel level thresholds for the "Residential" Zoning Districts.

3. If the noise occurs at any time on Sunday or holidays, the decibel level applicable between 10:00 p.m. and 6:00 a.m. shall prevail.

4. Noise levels shall not exceed the peak noise levels, independent of time duration, set out in Table II below:

**TABLE II. PEAK NOISE LEVELS**

<table>
<thead>
<tr>
<th>Zoning District (dBA)</th>
<th>Sound Level in Decibels A-Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation</td>
<td>75</td>
</tr>
<tr>
<td>Residential</td>
<td>80</td>
</tr>
<tr>
<td>Commercial</td>
<td>85</td>
</tr>
</tbody>
</table>
(5) For noise of impulsive character (hammering, etc.), the permissible decibel levels set out in Table I shall be corrected by subtracting five (5) decibels. Impulsive sound is any sound of short duration, usually less than one second with an abrupt onset and rapid decay, e.g., explosions and blasting.

(Ord. No. 90-16, § 1, 9-11-90; Ord. No. 2011-008, § 2, 9-13-11)

Section 974.06. Exemptions.

The following noises or vibrations shall be exempt from the restrictions set forth in the other sections of this chapter.

(1) Noises of authorized safety signals and warning devices;

(2) Noises resulting from any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency or any other public safety operation;

(3) Noises resulting from emergency work, which is to be construed as work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from any imminent exposure to danger;

(4) Noises incidental to mosquito control activities by the Indian River County Mosquito Control Board;

(5) Noises incidental to the activities of bona fide agricultural operations;

(6) Noises resulting from use of an emergency power generator during a power outage, provided that the generator is operated in accordance with manufacturer's specifications, with all standard equipment, and is in proper operating condition. Notwithstanding, noises resulting from use or testing of a generator by a utility company to support installation, repair, maintenance, or restoration of service operations are exempt from the restrictions set forth in this chapter;

(7) Noises resulting from an air conditioner, pool heater, and similar outdoor mechanical equipment that is properly located, or county-approved as a "quiet" low decibel model unit, or installed with a county-approved sound barrier or other county-approved noise-mitigating improvement as set forth in section 911.15(2)(c) of Chapter 911, Zoning, and section 912.07(1)(b)6. of Chapter 912, Single-Family Development.

(8) Noises or vibrations associated with uses or activities whereby an administrative approval to produce such noises or vibrations contrary to the restrictions of this chapter has been obtained from the community development director, as set forth in section 974.07 of this chapter.

(Ord. No. 90-16, § 1, 9-11-90; Ord. No. 2009-016, § 2, 10-13-09; Ord. No. 2013-022, § 3, 12-10-13)

Section 974.07. Opportunity for administrative approval.

A deviation from the provisions of this chapter may be granted via an administrative approval from the community development director. In reviewing a request for an exemption from the noise and vibration restrictions of this chapter, the community development director shall consider the following factors:

Whether or not the proposed use or activity necessarily warrants a deviation from the noise and vibration restrictions of this chapter;

Whether or not the proposed use or activity is compatible with surrounding land uses so as not to create a disturbance to adjacent properties;

Whether or not the applicant has taken or will take all effort to limit excessive noises or vibrations associated with the proposed use or activity to meet the intent of this chapter; and

In cases where the use or activity is proposed between 8:00 p.m. and 6:00 a.m., whether or not such hours of operation are necessary, and if so, are noises and vibrations associated with the use or activity minimized.

(Ord. No. 90-16, § 1, 9-11-90)
Section 917.06. - Specific accessory uses and structures.

(6) Piers, docks, boatslips and waterfront structures. No dock, pier, boatslip, or waterfront structure accessory to a single-family residence shall be rented, leased or sold to a party unless said party rents, leases, or buys the associated single-family residence. See Chapter 932, Coastal Management, for more information relating to piers, docks, boatslips and waterfront structures.

Section 932.07. - Piers, docks and boatslips.

(1) Restrictions upon regularly moored watercraft; maintenance. Watercraft shall not be regularly moored along any shore without consent of the riparian land owner. Regularly moored watercraft shall not be used as live-aboard vessels, offices or commercial enterprises except in commercial marinas with approval and facilities for that purpose. Regularly moored watercraft shall be kept in seaworthy condition when not in a permitted repair area. The mooring of live-aboard vessels (as defined in Chapter 901) in commercial marinas shall be limited to those boat slips designated for live-aboard vessels use on an approved site plan meeting the provisions described in section 971.35(3).
Section 932.09. Sea turtle protection.

(1) Purpose. The purpose of this section is to protect threatened and endangered sea turtles which nest along the beaches of Indian River County, Florida, by safeguarding adult and hatchling sea turtles from the impacts of light. The regulations of this section also serve as a light management mechanism in furtherance of Indian River County's Sea Turtle Habitat Conservation Plan.

(4) Existing development. To meet the intent of this section, lighting of existing structures which can be seen from the beach shall be in compliance with the following:

(a) Lights illuminating buildings or associated grounds for decorative or recreational purposes shall be shielded or screened such that they do not directly or indirectly illuminate the beach, or turned off after 9:00 p.m. during the period from March 1 to October 31 of each year.

(b) Lights illuminating dune crosswalks or any areas oceanward of the landward side of the dune line shall be turned off after 9:00 p.m. during the period from March 1 to October 31 of each year and shall not directly or indirectly illuminate the beach.

(c) Security lighting shall be permitted throughout the night so long as low-profile luminaries are used and screened in such a way that those lights do not directly or indirectly illuminate the beach. Motion detector switches may be used.

(d) Window treatments in windows within line-of-sight of an observer standing anywhere on the beach on single and multistory structures are required so that interior lights do not illuminate the beach. The use of non-reflective tint or film on windows or awnings is preferred; however, the use of black-out draperies or shade screens will suffice.

(e) All exterior light fixtures on the seaward or shore-perpendicular sides of buildings, or on the landward side of buildings if the fixtures are visible from the beach, shall be lamped with a long wavelength light source, such as amber or red light emitting diodes (LED), low pressure sodium, or true red neon. It has been recommended by the Florida Fish and Wildlife Conservation Commission that no such light source emit light below five hundred sixty (560) nanometers (nm).
Section 932.06. - Dune and shoreline protection.

In order to protect the natural vegetation and the main dune bluff fronting on the Atlantic Ocean, the following restrictions shall be observed:

(1) County dune stabilization setback line. The county hereby adopts the 1978 FDNR Coastal Construction Control Line (C.C.C.L) as the County Dune Stabilization Setback Line (D.S.S.L.), as recorded on June 10, 1981 in county Plat Book 10, Pages 93-93H.

(2) Encroachment, ingress, disturbance. Except as provided herein, encroachment or ingress onto or any disturbance of the main dune or natural vegetation seaward of the county dune stabilization setback line is prohibited, including encroachment or disturbance caused by individuals upon foot or by vehicle of any kind. Ingress by foot seaward of the county dune stabilization setback line must be associated with an approved dune crossover structure.

(3) New construction; disturbance of dunes, vegetation. The land between the coastal construction control line and the county dune stabilization setback line is established as a zone of regulation, whereby the Bureau of Beaches and Shores of the Florida Department of Natural Resources and Indian River County may permit construction activity and construction related dune alteration. Except as provided herein, new construction and/or disturbance of the dune and associated native vegetation is not permitted seaward of the county dune stabilization setback line.

(4) Vehicles prohibited seaward of dune stabilization line; exception. Except as expressly provided in subsection (5), it shall be unlawful for any person to operate, drive or propel any truck, tractor, bulldozer, grader, crane, automobile, motorcycle, dune buggy, moped, minibike, all-terrain cycle, or any other vehicle seaward of the county dune stabilization setback line excluding, however, any of the aforementioned vehicles when operated by an officer of any agency of the state or of a political subdivision of the state in the furtherance of official duties, or those operations which have received the express authorization of the board of county commissioners. The parking or storage of automobiles, trailers, motor homes, recreation and like vehicles is prohibited seaward of the dune stabilization setback line (DSSL). Boats may be stored seaward of the dune stabilization setback line if stored, located and moved in a manner that does not disturb, damage or destroy the existing dune or associated dune vegetation, and in a manner that does not interfere with the natural reestablishment of the dune or associated dune vegetation. Storage of boats is also subject to the requirements of section 911.15(7). However, boats stored in accordance with the requirements of this section by or with the permission of the abutting upland land owner, shall be exempt from the requirements of section 911.15(7)(b)1. and 912.17(3)(b)1.
Vacation Rentals & Timeshare Projects
The Division of Hotels and Restaurants is responsible for regulating public lodging establishments in Florida, which includes licensing and inspecting Vacation Rentals and Timeshare Projects [see Chapter 509, Florida Statutes (FS), and Chapter 61C, Florida Administrative Code (FAC)].

Florida law defines a "Public lodging establishment" as transient public lodging establishments and non-transient public lodging establishments. [Section 509.013(4), FS]

Transient public lodging establishment means "any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests."

Vacation Rental: Vacation rentals are transient public lodging establishments defined in s. 509.242(1)(c), FS, as: any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family dwelling unit that is also a transient public lodging establishment, but that is not a timeshare project.

Timeshare Project: A timeshare property (as defined in Chapter 721, F.S.) that is located in Florida and is also a transient public lodging establishment. (E.g., a timeshare property that rents by the week to guests outside the timeshare community.) (509.242(1)(g), F.S.)

License Classifications
Vacation rentals and timeshare project licenses have three different classifications (61C-1.002(4)(a), F.A.C.):

- Single License: May include one single home or townhome, or a unit or group of units within a single building that are operated by the owner.
- Group License: Covers all units within a building or group of buildings in a single complex that are licensed to a licensed agent. (Multiple group licenses may be issued to different licensed agents for units located on the same property.)
- Collective License: Issued to a group of houses or units found in separate locations that are represented by the same licensed agent. (A collective license may have a maximum of 75 houses or units per license and is restricted to counties within one district.)

If you operate both vacation rental condominiums and vacation rental dwellings, you may not combine them on the same license in any of the three licensing categories.

Licensed Agent
A licensed agent is someone that the property owner has authorized, through a rental agreement or contract, to hold out the property for rent on a transient basis. The licensed agent does not have to hold a license from the Division of Real Estate.

Only a licensed agent can hold a group or collective license. A licensed agent may not hold a single license. The licensed agent is responsible for all violations cited during an inspection if the violations occurred while the unit or dwelling was listed under the licensed agent (or if the division records list the property under the licensed agent).

Licensing
To obtain a Vacation Rental or Timeshare Project license you need to fill out an Application for Vacation Rental or Timeshare Project License. The application packet is available at https://www.myfloridalicense.com/intentions2.asp?chBoard=true&boardId=200&SID.

The Application for License must be submitted along with the following items:

- A list of all units or houses to be licensed.
- A completed DBPR HR-7020, Certificate of Balcony Inspection if the units or houses are 3 or more stories in height and the railings, stairwells and/or balconies are not in common areas.
- Appropriate Fees: Fees are based on the number of units to be licensed. An automated fee calculator and fee tables are provided on our website at http://www.myfloridalicense.com/dbpr/hr/licensin g/Apply-License.html. You also can contact the Customer Contact Center at 850.487.1395 to obtain the correct license fee. In addition to the license fee, there is a one-time application processing fee of $50.

Licensing Exclusions
The definition of a public lodging establishment does not include (509.013(4)(b), F.S.):

- Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.
- Any facility certified or licensed and regulated by the Agency for Health Care Administration (AHCA) or the Department of Children and Families (DCF) or other similar place regulated under s. 381.0072, F.S. E.g., hospitals, nursing homes, assisted living facilities, sanitariums and day care centers.
- Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients.
- Any vacation rental or timeshare project that is rented for periods of at least 30 days or 1 calendar month, whichever is less; AND is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent.
- Any migrant labor camp or residential migrant housing permitted by the Department of Health (DOH); under Chapters 381.008-381.00895, F.S. or any mobile home park inspected by the Department of Health (DOH) and regulated under Chapter 513, F.S.
- Any nonprofit organization that operates a facility providing housing only to patients, patients' families, and patients' caregivers and not to the general public.
- Any apartment building inspected by the U.S. Department of Housing and Urban Development (HUD) that is designated primarily as housing for persons at least 62 years of age. This exclusion applies to individual buildings, not entire complexes (unless every building in the complex fits the criteria).
- Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, apartment, timeshare project, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242, F.S.

Sanitation
- Halls, entrances, hall/stair runners and stairways (unless common) shall be clean, ventilated, and well-lighted day and night.
- Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair.
- If dishes and glassware are provided, you must sanitize them between guests. (Proper warewashing requires a three-compartment sink or commercial dishwasher; OR the operator must post a notice informing guests that the dishes and glassware have not been sanitized according to public food service establishment standards. The notice must include the specific language on the notice available from the division website at http://www.myfloridalicense.com/dbpr/hr/forms/lo ding-publications.html.)
- Toxic items must be properly stored and labeled.

DBPR Form HR 5025-753 2015 May 19
Potable water shall be supplied and adequate sanitary facilities for guests. E.g., showers, handwash sinks and toilets that are connected to approved plumbing.

Water from a nonpublic system (e.g., well) shall be sampled and tested at least annually and as required by state water quality regulations.

The most recent sample report for the nonpublic water system shall be available upon request.

The kitchen sink is required to have hot and cold running water under pressure.

Ice making machines must use water from an approved source and shall be constructed, located, installed, operated, and maintained to prevent contamination of the ice.

Ice machines for customer self-service shall be protected from contamination and equipped so the ice can be automatically dispensed.

Units must be kept free of vermin.

If provided:
- Bedding and linens, sheets and pillowcases, and bedding items (e.g., mattresses, comforters and pillows) must be kept clean and in good condition.
- Soap must be available either individually wrapped or from a dispenser.
- Ice buckets shall be cleaned and sanitized between each guest or be provided with a sanitary single-service food-grade liner that is changed daily.

**Safety**

A current Certificate of Balcony Inspection (DBPR HR 7200) must be filed with the division every three years, unless exterior balconies and stairwells are "common" elements of a condominium. (For exemption to this requirement, the licensee must provide proof to the division that these areas are common elements.) The balcony certificate is available from the Division of Hotels and Restaurants website at http://www.myfloridalicense.com/dbpr/hr/forms/lo
ding-publications.html; by e-mail request submitted at www.myfloridalicense.com/contactus; or by phone request to 850.487.1395.

Railings shall be installed on all stairways and around all porches and steps.

Heating and ventilation must be kept in good repair or installed to maintain a minimum of 68 degrees Fahrenheit throughout the building.

Boiler Certificate required, if needed. (Not required if boiler is located in common area.) A water heating device is considered a boiler if it exceeds any one of the following limits: maximum heat input of 400,000 BTUH; water temperature of 210 degrees Fahrenheit; water capacity of 120 gallons.

High hazard areas like boiler rooms and laundry rooms shall be kept clean and free of debris and flammables.

At least one (1) approved looking device is required that cannot be opened by a non-master guest room key on all outside and connecting doors. (Cannot be a sliding chain or hook and eye type of locking device.)

Smoke alarms must be installed in every living unit.

Automatic fire sprinklers may be required in Vacation Rental condominiums if the majority of the rental units are located within a single building of three stories or more or greater than 75 feet in height. (If 50% or fewer of the units within the building are rented transiently, a fire sprinkler system is not required.)

Specialized smoke alarms for the hearing impaired shall be available at a rate of one per every fifty rental units with a maximum of five required.

Specialized smoke alarms for the hearing impaired shall be available upon request without charge.

Must meet all local fire authority requirements.

**General**

License must be current and renewed annually.

License shall be conspicuously displayed in the office or lobby (if available) or made available upon request.

Any change in the number of units must be reported to the division.

License is not transferrable from one place or individual to another.

If provided, baby cribs must meet safety standards established by the Consumer Products Safety Commission.
AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, CONCERNING
AMENDMENTS TO ITS LAND DEVELOPMENT REGULATIONS (LDRS);
ESTABLISHING REQUIREMENTS FOR A COUNTY VACATION RENTAL LICENSE AND
OTHER VACATION RENTAL REGULATIONS BY CREATING ZONING CODE SECTION
911.15(9); AND PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS;
CODIFICATION; SEVERABILITY; AND EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER
COUNTY, FLORIDA THAT INDIAN RIVER COUNTY LAND DEVELOPMENT
REGULATIONS (LDRS) CHAPTER 911, ZONING, BE AMENDED AS FOLLOWS:

SECTION #1:

Zoning code section 911.15(9) is hereby created to read as follows:

(9) Vacation rental local license and regulations

(a) For purposes of vacation rental local regulations, “bedroom” is defined as follows:
any room used principally for sleeping purposes and meeting applicable building
code requirements for a bedroom.

(b) The owner of a vacation rental unit shall obtain from the community development
department a vacation rental license. A separate license shall be required for each
vacation rental unit. Each license shall be valid for a period of three (3) years from
the date of issuance unless terminated by the owner or found by the county to be in
violation of license conditions, and each license may be renewed every three (3)
years upon approval by the community development department. A license may
be transferred to a new owner upon submission of updated license information and
execution of and assumption of license obligations and conditions on a form
provided by the community development department.

1. A license application shall be submitted to the community development
department on a form provided by the department.
2. License application review shall be managed by the community development
department in coordination with other county departments, local agencies, and
state agencies.
3. Prior to issuance of a license or a license renewal, a county code enforcement
officer shall conduct an inspection of the vacation rental unit for compliance
with the requirements of this section of the zoning code [911.15(9)].

(c) License application submittal requirements are as follows:

1. Rental unit manager contact information (cell phone number, email address,
mailing address).
2. Documentation that the applicant has obtained the following:
a. State license for vacation rental unit
b. Local business tax receipt from the Tax Collector
c. Local tourist tax account from the Clerk of the Circuit Court

3. Parking compliance information: number of garage and/or carport spaces, number of rental unit bedrooms, maximum number of automobiles allowed outside of garage/carport, location of spaces accommodated on improved or stabilized driveway.

4. Verification that carbon monoxide alarms, if required by code, and state license fire protection items have been provided in the vacation rental unit: smoke alarms, emergency lighting, fire extinguisher.

5. Unit interior under air information: square footage and number of bedrooms.

6. Verification of whether the unit is served by public sewer service or an on-site sewage treatment and disposal system (septic/drainfield system). If served by an on-site sewage treatment and disposal system, the applicant will be required to provide an existing system evaluation approved by the health department if the health department has no record of the system size permitted by the department.

7. Acknowledgment form provided by the community development department, executed and dated by the rental unit owner and manager. The acknowledgment form shall provide information regarding the following county requirements for vacation rentals.

a. Prohibition on commercial events at residence (e.g. weddings)
b. Special parking regulations
c. Sea turtle protection and dune protection regulations (for rental units located east of SR A-1-A)
d. Noise regulations: Chapter 974 noise regulations which include day and night decibel level limitations, more stringent “no disturbance” requirements from 10 pm to 6 am, and no excessive noise that would cause annoyance to any reasonable person of normal sensitivity.
e. Limitations on dock/boat use: (for waterfront rental units): no more than 2 boats moored per dock, dock used by unit owner or renter only, no live-aboard use; (all rental units): no more than 2 boats stored or parked per unit
f. Fire safety requirements and maximum sleeping occupancy limitations
g. Fines and citation penalties for violations

8. Acknowledgment that the following information will be posted or displayed inside the vacation rental unit prior to inspection of the unit by the county code enforcement officer and shall thereafter be continuously posted or displayed inside the vacation rental unit:

a. Manager contact information
b. Maximum number of parked automobiles and boats, and approved parking locations

c. Trash and recycling pick-up days and protocol for placing and retrieving/storing containers

d. Noise regulations: day and night decibel level limitations, more stringent “no disturbance” requirements from 10 pm – 6 am, and no excessive noise that would cause annoyance to any reasonable person of normal sensitivity.

e. Location of smoke alarms, emergency lighting, and fire extinguisher.

f. Emergency room information

g. Sea turtle protection and dune protection information (for rental units located east of SR A-1-A)

h. Maximum sleeping occupancy (number of persons)

9. Acknowledgement that the applicant has contacted any applicable property owners association or homeowners association and is aware of private restrictions, if any, that may affect operation of a vacation rental at the subject residence.

10. Application fee established by resolution of the Board of County Commissioners.

(d) Vacation rental local regulations are as follows:

1. To the extent that there is no conflict with these vacation rental regulations of section 911.15(9), all county regulations applicable to a residential unit that is not operated or used as a vacation rental unit shall also apply to a vacation rental unit.

2. Parking and storage of vehicles shall conform to the requirements of zoning code section 911.15(4)(b).

3. Commercial events shall be prohibited in accordance with zoning code section 911.15(8).

4. The overnight maximum sleeping occupancy of a vacation rental unit shall not exceed the following:
   a. For a unit served by public sewer service, 2 persons per bedroom plus 2 additional persons.
   b. For a unit served by an on-site sewage treatment and disposal system (septic/drainfield system), 2 persons per bedroom plus 2 additional persons or the number of persons accommodated by the system as determined by the health department, whichever number of persons is less.
   c. Notwithstanding paragraphs 4.a. and 4.b. above, a maximum (cap) of 10 persons shall apply to each unit whether the unit is served by public sewer service or by an on-site sewage treatment and disposal system (septic/drainfield system).
The unit occupancy limit confirmed by the county code enforcement officer shall be stated on the local license.

5. Fire protection items required for a state vacation rental license shall be provided in the vacation rental unit.
   a. In addition, a carbon monoxide (CO) alarm, when required under Section R315, Carbon Monoxide Alarms of the Florida Building Code – Residential, shall be provided.

6. Changes in the vacation rental manager and/or changes in the manager contact information shall be provided to the community development department within ten (10) days of the change.

7. The local license number, the occupancy limit confirmed by the county code enforcement officer, the maximum number of vehicles allowed to be parked on site outside any garage or carport, the noise regulations statement contained in section (c)7d of these regulations, and a statement that there are special sea turtle protection and dune protection regulations for units located east of SR A-1A, shall appear or be stated in any vacation rental unit advertisement or any rental offering associated with a vacation rental unit.

8. Each year, the applicant shall submit to the community development department a copy of a valid current state license for the vacation rental unit.

9. No amplification system, device, or sound system speakers, shall be used outdoors or directed outdoors in a manner that is audible from an adjacent residential property.

(e) Interim Operation of Vacation Rental Unit:

1. Because of the length of time it may take to comply with all of the new requirements on this section, all short term vacation rental owners may lawfully operate but shall have until December 1, 2016 to obtain a license from the County and come into full compliance with the new standards and requirements imposed by this section [911.15(9)].

(f) Claim of Contract Impairment:

1. It is not the intent of this ordinance [section 911.15(9)] to impair any existing contracts, leases, or reservations, that are evidenced by writing. An owner who asserts the enacted ordinance amendment impairs a short term vacation rental contract in effect on or before June 21, 2016 shall submit the contract lease or reservation, evidenced in writing, to the Community Development Director for review and consideration. An owner shall have until December 1, 2016 to submit the claim of impairment to the Community Development Director for determination. Appeal of the decision of the Community Development Director shall follow the appeal procedure set forth in land development regulation section 902.07.
(g) Units Grandfathered-in for a Higher Occupancy Cap

1. A vacation rental unit in existence with a valid state license and operating with more than four (4) bedrooms on June 21, 2016 shall be considered grandfathered-in as a legal non-conformity and not subject to the occupancy limit maximum (cap) of 10 persons as stated in 911.15(9)(d)4c so long as grandfathering is maintained in accordance with section 904.08(1) for legal non-conformities. Overnight maximum sleeping occupancy for grandfathered-in units shall be determined using the criteria of Sections 911.15(9)(d)4a and 911.15(9)(d)4b. For purposes of determining the number of bedrooms in operation for a grandfathered-in unit on June 21, 2016, and for calculating the unit’s maximum sleeping occupancy the number of bedrooms shown on the unit’s approved building permit drawings of record as of June 21, 2016 shall be used.

SECTION #2: SEVERABILITY

If any clause, section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be unconstitutional or invalid for any cause or reason, the same shall be eliminated from this Ordinance and the remaining portion of this Ordinance shall be in full force and effect and be as valid as if such invalid portion thereof had not been incorporated therein.

SECTION #3: REPEAL OF CONFLICTING ORDINANCES

The provisions of any other Indian River County ordinance that are inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

SECTION #4: INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Indian River County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION #5: EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Department of State.

This ordinance was advertised in the Press-Journal on the 6th day of June, 2016, for a public hearing to be held on the 21st day of June, 2016, at which time it was moved
ORDINANCE 2016- 006

for adoption by Commissioner _O’Bryan______, seconded by Commissioner _Davis______,
and adopted by the following vote:

Chairman Bob Solari          AYE ______
Vice Chairman Joseph E. Flescher AYE ______
Commissioner Wesley S. Davis   AYE ______
Commissioner Tim Zorc         AYE ______
Commissioner Peter D. O’Bryan  AYE ______

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

The Chairman thereupon declared the ordinance duly passed and adopted this 21st day

BY:  ________________
    Bob Solari, Chairman

ATTEST: Jeffrey R. Smith, Clerk of Court and Comptroller

BY:  ________________
    Deputy Clerk

This ordinance was filed with the Department of State on the following date: 06/27/2016

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

__________________________
Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

__________________________
Stan Boling, AICP; Community Development Director
VACATION RENTAL LICENSE SITE INSPECTION CHECKLIST

Inspection requested by applicant: Date: __________
Inspection made: Date: __________
Re-inspections: Date: __________

GO OVER WITH PLANNER PRIOR TO SITE INSPECTION

[] Number of bedrooms per approved building plan?

[] Is property on public sewer or does it have an on-site septic system?

[] If on-site septic system, what is the occupancy capacity (per Health Depart.)?

[] Is the site grandfathered/exempt from the 10 maximum cap occupancy limit?

[] Is there a guest house on-site?

[] Is the site east of SR A1A?

[] Garage/carport or no garage/carport?

[] Carbon monoxide alarm required/applicable?

(i.e., gas appliances or fire place inside, attached garage)

INVESTIGATION

Parking:

a) Total number of garage and/or carport parking spaces Actual: __________
b) Number of parking spaces on paved or stabilized driveway: Actual: __________

Occupancy / Bedrooms:

a) Number of bedrooms Actual: __________
b) Number of beds Actual: __________

Fire/Life Safety:

a) Smoke alarms (1 per floor, 1 per bedroom area [within 10 feet], 1 per bedroom, all interconnected, may be 10-year battery type) [ ] [ ]
b) Emergency lighting (at primary exit, wired) [ ] [ ]
c) Fire extinguisher (1 in kitchen area, Class 2-A 10-BC 5 lbs min. with current tag, use 5-point checklist from Fire Prevention) [ ] [ ]
d) Carbon monoxide (CO) alarm (if required, within 10 feet of bedroom areas, may be combo with smoke alarm) [ ] [ ]

Posted or Displayed Information Inside Rental Unit:

a) Manager contact information [ ] [ ]
b) Maximum number limit of parked vehicles, boats, and approved parking location [ ] [ ]
c) Trash and recycling pick-up days and protocol for placing/retrieving receptacles [ ] [ ]
d) Noise regulations: no excessive noise disturbance to neighbors; more stringent requirements 10 p.m - 6 a.m.; no excessive noise that would cause annoyance to any reasonable person of normal sensitivity; no outdoor amplification devices audible from adjacent residential property at any time [ ] [ ]
e) Location of smoke alarms, emergency lighting, and fire extinguisher [ ] [ ]
f) Emergency room information [ ] [ ]
g) Sea turtle protection lighting and dune protection requirements (east of SR A1A) [ ] [ ]
h) Maximum sleeping occupancy (number of persons) [ ] [ ]

Comments/Problems ________________________________

Date problems communicated to applicant: __________
Planner Concurrence: ____________________________ Date: __________
Inspector: ____________________________ Date: __________

Stvc.chklist.sheet
5 things to look at during your inspection.

Make sure that the extinguisher is classified as 2-A: 10-BC and minimum of 5 Lbs. (10 lbs. is fine if the owner request one)

Check to make sure the yellow needle is in the green area. This indicates (Proper charge). If the needle is in the recharge or overcharge area, the extinguisher needs to be service by a license Contractor.

Next look at the neck area, under the green collar. The green collar is the indicator of the hydro date. The Contractor will take it out of service a do a 6-12 year hydro inspection on it.

Look at the neck for rust or any compromise of the tank. The rust usually occurs were the extinguisher is expose to the elements.
Look inside the nozzle opening for white residue. If you see what appears to be white talcum powder, this means that the extinguisher has been deployed. Advise owner, that servicing of the extinguisher is needed. This also should be noticed by the home owner, when he/she conducts the monthly visual inspection.

NO rust should be at the cylindrical round dome area of the extinguisher. If you notice rust at the outer edge, that is acceptable. However note it on your report. That way when you give it to the owner, this will reiterate what he/she already knows.
This is a service tag that needs to be affixed on the extinguisher. This indicated to us when it was serviced. This extinguisher was serviced in MARCH of 2016. This means that the extinguisher is good until March of 2017. F/E's needs to be serviced annually by a state certified Fire Extinguisher Company.

This is the back of the service tag. It has 12 slots. This is for the homeowner to visual check the extinguisher on a monthly basis.

Once the owner does his/her visual inspection, they are required to DATE it. Then INITIAL on the appropriate slot.

The two reasons for this tag is:

I. It makes someone look at the extinguisher, in case it gets deployed

II. It lets us know the service date.
Smoke and Carbon Detector Installation and Required Location

Summary

Location

1. Sleeping Room - In each sleeping room.

2. Sleeping Area - Outside each separate sleeping area in the immediate vicinity (IRC Interpretation within 10') of the bedrooms.

3. Story or Floor - One on each additional story of the dwelling, including basements and habitable attics but not including crawl spaces and uninhabitable attics, even if there are no sleeping areas on that additional story. A detector located outside a sleeping area, as indicated in item 2 above, on the additional story will meet this requirement.

4. Peaked Ceilings - Shall be located within 36 in. horizontally of the peak, but not closer than 4 in. vertically to the peak.

5. Sloped Ceilings - having a rise greater than 1 ft in 8 ft horizontally shall be located within 36 in. of the high side of the ceiling, but not closer than 4 in. from the adjacent wall surface.

6. Wall Mounting - shall be located not farther than 12 in. from the adjoining ceiling surface.

7. Ambient Temperature or Humidity - Shall not be located where ambient conditions, including humidity and temperature, are outside the limits specified by the manufacturer’s published instructions.

8. Unfinished Attics, Garages or Other Spaces - Shall not be located within unfinished attics or garages or in other spaces where temperatures can fall below 40 Degrees F or exceed 100 Degrees F.

9. Stationary or Fixed Cooking Appliances - Shall not be installed within an area of exclusion determined by a 10 ft radial distance along a horizontal flow path from a stationary or fixed cooking appliance, unless listed for that location. Alarms or detectors installed between 10 ft and 20 ft along a horizontal flow path from a stationary or fixed cooking appliance shall be equipped with an alarm-silencing means or use photoelectric detection.

10. Bathroom Door - Shall not be installed within 36 in. horizontal path from a door to a bathroom containing a shower or tub.

11. HVAC Register - Shall not be installed within a 36 in. horizontal path from the supply register of a forced air heating or cooling system and shall be installed outside of the direct airflow from those registers.

12. Ceiling Fan - Shall not be installed within a 36 in. horizontal path from the tip of the blade of a ceiling –suspended (paddle) fan.
Carbon Monoxide Alarms

1 Carbon monoxide protection - Every separate building or an addition to an existing building for which a permit for new construction is issued and having a fossil-fuel-burning heater or appliance, a fireplace, an attached garage, or other feature, fixture, or element that emits carbon monoxide as byproduct of combustion shall have an operational carbon monoxide alarm installed within 10 feet of each room used for sleeping purposes.

2 Combination alarms - Combination smoke/carbon monoxide alarms shall be listed and labeled by a nationally recognized testing laboratory.

Interconnection

3 Interconnection - Where more than one smoke or carbon monoxide alarm is required to be installed within an individual dwelling unit, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

Power Source

4 Power source - (120 volt with battery back-up) Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Exception

5 Hard wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring without the removal of interior finishes.

6 One-family and two-family dwellings and townhomes undergoing a repair, or a Level 1 alteration as defined in the Florida Building Code, may use smoke alarms powered by 10-year nonremovable, nonreplaceable batteries in lieu of retrofitting such dwelling with smoke alarms powered by the dwelling's electrical system.