

Short Term Rentals

Sec. 12-61. - Purpose.

It is the purpose of this section to protect the public health, safety, and general welfare of individuals and the community at large; to ensure that neighborhoods are not adversely affected or disrupted by short-term rentals.

Sec. 12-62. - Definition:

a) A Short-Term Rental (STR) is the rental of a Single-Family Home or accessory dwelling unit (ADU) for lodging purposes in which the dwelling meets all applicable building and safety codes, and occupants reside for no less than 2 or more than 29 consecutive nights.

b) For the purpose of this section, a single-family home is defined as a single-family detached home, duplex, condominium, or townhouses either owner or non-owner occupied. An accessory dwelling unit is defined as an auxiliary dwelling unit located on the same lot as the principal building that may be attached by a back building or contained in a stand-alone outbuilding.

Sec. 12-63 - Applicability

- a) Short Term Rentals are permitted in all transect zones except (T1NP).
- b) Short Term Rentals are allowed on all boats
- c) Only one dwelling unit (structure) per lot may be used for a Short Term Rental .
- d) Short term rental units not occupied by the owner of the property shall be limited to a total of 8% of the lots in each district as shown on the official for you map of the Town of Port Royal.
 - i) Exceptions to 8% Limit:
 - (1) In commercial zones (T5 AND T4URBAN CENTER)
 - (2) Property with 4% assessment ratio (Primary Residence)
 - (3) Units already operating prior to the enactment of this ordinance will be allowed even if the 8% cap has been reached.
- e) If a district reaches the 8% limit, a task force from should be formed from residents or property owners within that district to evaluate the limit and make an action or no action recommendation to the town council.

Sec. 12-63. – Occupational license and Zoning Permit required.

Any property owner engaged in the activity of short term rental within the limits of the town will obtain an occupational license as provided for by article II, occupational license, of this chapter. Additionally, any property owner wishing to operate a short term rental must apply for a zoning permit to operate a short term rental in any of the permitted transect zones.

Sec. 12-64 Application Requirements:

An application must be submitted on the approved form to the town manager or other designated individual at the Town of Port Royal. The Short Term Rental Application shall contain the following information:

- a. The address of the rental unit
- b. The total number of individual rental units at the address
- c. The number of bedrooms in each rental unit
- d. The number of parking spaces provided on-site for each rental unit
- e. The maximum overnight occupancy of each rental unit, which shall not exceed two people per bedroom, plus two additional people per rental unit
- f. The names, mailing addresses, business phone numbers, personal phone numbers, and business addresses of the owner and local agent, if handled through an outside agency
- g. A non-refundable application rental fee of \$100.00 shall be paid at the time of application.
- h. Certify annually that the application on file is accurate.
- i. The applicant shall provide with the application a copy of the rental agreement that will be used. The rental agreement shall specify the following:
 - ii. The minimum stay
 - iii. The maximum number of guests--which shall be based on the number of beds in the unit and shall not exceed two people per bedroom, plus two additional people per rental unit
 - iv. The maximum number of vehicles permitted at the unit--which shall be based on the number of bedrooms and the design of the driveway.
 - v. Where guests are to park. Parking shall be provided on-site if possible, with the preferred location to the side or rear of the rental unit. On-site parking shall be delineated with an improved surface such as pavement, gravel, or another method approved by the Town administrator. On the street or off premises parking can be used as overflow parking
 - vi. That the Town's noise ordinance applies.(Section 15-18)
 - vi. Prohibit large gatherings such as weddings and reunions unless specifically approved by the Town Manager
 - vii. Pets, if permitted, are not to be left outside unattended. Pets and owners must comply with the Town of Port Royal and Beaufort County animal control ordinances.

Sec. 12-65 Accommodation fee required.

Any property owner engaged in the activity of short term rental within the limits of the town will collect and remit to the town the local accommodation tax as provided for in chapter 18, article III, local accommodation tax.

Sec. 12-66. Parking:

Parking shall be provided on-site if possible, with the preferred location to the side or rear of the rental unit. On-site parking shall be delineated with an improved surface such as pavement, gravel, or another method approved by the Town administrator. On the street or off premises parking can be used as overflow parking

E. **Marketing Requirements and Restrictions**

- a) **Rental Unit Number:** A unique number will be assigned to each rental unit by the Town. This number must be used in any marketing platform (online or otherwise)
- b) **Signs:** No on-site advertising signs shall be permitted.

F. **Other Rental Information.** Other Rental Information including the proper use of the sanitation and recycling roll-carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the unit.

G. **Property Management Plan:** A property management plan shall be developed by the property owner and approved by the town manager or another designated by the town manager at the Town of Port Royal. The property management plan shall identify a local property manager if the owner does not occupy the premises or the owner lives more than 2 hours away from the STR. Where the property owner lives on the premises, a back-up property manager must be identified unless the owner certifies the unit will not be rented when the owner is out of town. The town manager or designated individual at the town shall be notified when management of the unit changes. Failure to comply with the approved property management plan shall result in the revocation of the short term rental permit.

H. **Monitored Fire Alarm:** A monitored fire alarm is required for all units except boats. Boats are required to provide documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed is required. The Vessel Safety Check can be arranged through this link: <http://www.cgaux.org/vsc>. Existing facilities not meeting this requirement shall be brought into conformance within 6 months of the date of adoption of this code.

I. **Outside Approvals Required:** For properties located in a neighborhood or multifamily structures with a property owners' association, the applicant shall certify STRs are permitted. For boats in an approved marina, written permission from the marina manager is required. STR operators are responsible for complying with the property owner's association requirements.

J. **Safety Inspection and Licensing:** A Safety Inspection shall be conducted before the Business License for the facility is issued. The facility shall comply with all business license, revenue collection, and health laws of the Town of Port Royal, Beaufort County and the state of South Carolina.

K. **Unlicensed Units:** For units that are found to be operating without approval of the City, the short term rental application fee shall be \$1,000. If the property owner chooses not to submit a short term rental application within 60 days of being notified by the City of being in violation of the ordinance, a short term rental application shall not be approved for a period of 2 years.

L. **Transfer of Permit:** A permit can be transferred to another property owned by the permit holder in the same district if transferred in 60 days from the date of the sale of the existing unit. It is the obligation of the transferee and transferor to provide the Town with any information relevant to the transfer.