

RESOLUTION NO. 22-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, ESTABLISHING A FEE SCHEDULE RELATIVE TO THE ADMINISTRATION OF VACATION RENTALS PURSUANT TO SECTION 6-114 OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.221, F.S., provides that a municipality may levy reasonable business, professional, and occupational regulatory fees, commensurate with the cost of the regulatory activity, including consumer protection, on such classes of businesses, professions, and occupations, the regulation of which has not been preempted by the state or a county pursuant to a county charter; and

WHEREAS, Section 509.032(7), F.S, preempts the regulation of public lodging establishments to the state, however, does not preempt the inspection of public lodging establishments by local government for compliance with the Florida Building Code and the Florida Fire Prevention Code or any local law, ordinance or regulation that does not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rental; and

WHEREAS, on November 30, 2021, the City Commission of the City of Cooper City adopted Ordinance No. 21-26, thereby establishing certain regulations for vacation rentals in accordance with the requirements of Florida law; and

WHEREAS, Section 6-114 of the City's Code of Ordinances authorizes the City Commission, by resolution, to establish fees for the administration of the City's vacation rental ordinance;

WHEREAS, the City Commission of the City of Cooper City has considered a cost analysis of City staff time and resources expended in the processing of vacation rental registrations and the

issuance of certificates of compliance for vacation rentals and has determined the reasonableness of fee to reimburse the City for these administrative expenses; and

WHEREAS, the City Commission finds that adopting the fees for vacation rentals, as set forth in this resolution, is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA THAT:

SECTION 1. The foregoing Whereas clauses are incorporated herein by reference and made part hereof.

SECTION 2. The City Commission hereby approves and the following fees in the following structure relative to vacation rentals:

- | | | |
|----|---|----------|
| a. | Initial registration fee | \$750.00 |
| b. | Annual renewal fee (including annual inspection) | \$350.00 |
| | (Registration shall be from October 1 through September 30) | |
| c. | Pre-inspection fee (Sec. 6-119, City Code of Ordinances) | \$260.00 |
| d. | “No-Show” fee (Sec. 6-119, City Code of Ordinances) | \$139.00 |
| e. | Certificate of Occupancy or Change of Use Fee | \$139.00 |

SECTION 3. Late Fees. Those vacation rental registrations not renewed annually by October 1 shall be considered delinquent and shall be subject to a late fee penalty equal to ten percent (10%) of the annual renewal fee per month for each month, or portion thereof, that vacation rental is delinquent.

SECTION 4. That the above fee schedule is derived from a cost recovery analysis based on direct costs of providing service, regulation and administration of the City’s vacation rental program.

SECTION 5. The appropriate City officials are authorized and directed to execute the necessary documents to comply with this Resolution.

SECTION 6. All Resolutions or parts of Resolutions in conflict with any of the provision of this resolution are hereby repealed.

SECTION 7. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

SECTION 7. This Resolution shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, THIS ____ DAY OF _____, 2022.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY

ROLL CALL

Mayor Ross _____
Commissioner Pulcini _____
Commissioner Meltzer _____
Commissioner Shrouder _____
Commissioner Green _____