ORDINANCE # 2018-29
INTRODUCED BY Smith
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DATE AMENDED

ADOPTION

INTRODUCTION

**CITY OF COVINGTON**
**STATE OF LOUISIANA**

**ORDINANCE NUMBER 2018-29**

**AN ORDINANCE OF THE CITY OF COVINGTON AMENDING THE COVINGTON CODE OF ORDINANCES, CHAPTER 22 BUSINESSES, TO ADD ARTICLE VI. SHORT-TERM RENTALS**

**WHEREAS,** the short-term rental of residential units or dwellings is an increasing segment of the rental market across the country; and

**WHEREAS,** there are numerous short-term rental listings in the City of Covington; and

**WHEREAS,** short-term rentals place an increased burden on the facilities, infrastructure and employees of the City of Covington and the health, safety, and tranquility of neighborhoods within which they are located; and

**WHEREAS,** the regulation of short-term rentals is necessary to provide minimum safety requirements and for the collection of applicable taxes; and

**WHEREAS,** the regulation of short-term rentals is necessary to protect and promote the public peace and the health, safety and welfare of the citizens of the City Covington and the occupants of short-term rentals; and

**WHEREAS,** the Covington City Council deems these amendments appropriate to protect the health, safety and welfare of the citizens of Covington; and

**WHEREAS,** the City Council has held its public hearing in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Covington, at its regular session convened, that Chapter 22 Businesses shall be

amended to include Article VI. Short-term Rentals, which article shall read as follows:

**ARTICLE VI. SHORT-TERM RENTALS**

**Sec. 22-113. Definitions.**

"Owner" means the person who possesses ownership of the real property containing a residential dwelling unit subject to a short-term rental as evidenced by a deed.

"Short-term rental" means a residential dwelling unit for the purpose of overnight lodging for less than 30 consecutive days. Accessory structures shall not be subject to short-term rental.

**Sec. 22-114. Applicability.**

No person shall use or maintain, nor shall any person advertise the use of any residential dwelling unit on any parcel in this city for short-term rental without a short-term rental permit.

Short-term rentals shall be allowed in the Historic District of the City of Covington, as described in Sec. 54-3 of the Covington Code of Ordinances.

**Sec. 22-115. Short-term Rental Regulations.**

A. The short-term rental permit shall be in the name of the Owner, who shall be an owner of the real property upon which the short-term rental use is to be permitted.

B. One person may hold no more than one short-term rental permit. The permit shall not be transferable.

C. Short-term rental uses shall be limited to residential dwelling units existing and constructed as of the date of application for the short-term rental permit.

D. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than four. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms or a maximum of eight (8) persons.

E. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide detector.

F. A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants, except in the Division of St. John.

G. The Owner shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.

H. The Owner shall post "House Policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the Owner or the Owner's designated contact person. The house policies at a minimum shall include the following provisions:

1. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.

2. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.

3. Except as permitted by the planning director and in the Division of St. John, vehicles shall be parked in the designated on-site parking area and there shall not be parking on the street overnight.

4. Parties or group gatherings which exceed the maximum number of guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

I. Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

J. The Owner shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.

K. The Owner, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the excessive consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.

L. All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.

M. The Owner shall maintain a city occupational license and pay all occupancy taxes required by law.

N. No exterior signage or other exterior evidence the property is used for short-term rental is permitted.

O. No food service shall be provided by the Owner or anyone on his behalf.

P. The Owner may not enter into a short-term rental with more than one party at any time.

Q. The city-issued short-term rental permit shall be displayed on the premises.

**Sec. 22-116. Short-Term Rental Permit.**

A. Prospective owner-applicants of a short-term rental use shall apply for a permit with the planning director in accordance with the provisions of this chapter and on a form provided by the city.

B. The application shall be accompanied by the short term rental permit fee as set forth herein to cover the administrative costs of issuing a short-term rental permit and, but not limited to, inspecting the short-term rental dwelling.

C. The application shall include the following information:

1. The name, address and phone number of the applicant, and verification that the applicant is the owner of the property.

2. The assessor's parcel number of the lot on which the short-term rental use is proposed.

3. Certification that the permit will be nontransferable.

4. Certification that the local contact person is available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied.

5. A site and floor plan identifying the location of parking on the site (if required) and the location of any bedrooms to be used for short-term rental use.

6. Acknowledgement of receipt and inspection of a copy of all regulations pertaining to the operation of a short-term rental use.

7. Evidence of a minimum of $500,000 liability insurance coverage on the premises subject to the short-term rental.

8. Additional information as may be requested by the planning director to determine impact and mitigation measures.

D. The permit term for all short-term rental permits shall run from November 1 to October 31 of each year, regardless of when issued. All permits must be renewed annually.

E. Short-term rental permit fee.

1. The annual permit fee for a short-term rental permit shall be $500.00.

**Sec. 22-117. Violation.**

Any violation of this section is subject to the civil and criminal procedures as provided in Section 1-8 of this code and shall result in a revocation of the short-term rental permit of the violator. Each day of violation shall be considered a separate offense.

**BE IT FURTHER ORDAINED** that all other sections of Chapter 22 Businesses shall remain the same and in full force.

**BE IT FURTHER ORDAINED** that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

**WHEREUPON,** this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

**MOVED FOR ADOPTION** by Rolling, seconded by Callahan.

**YEAS:** 7 **ABSENT:** ~~0~~

**NAYS:** ~~0~~ **ABSTAIN:** ~~0~~

**PASSED AND ADOPTED** this 20th day of November, 2018.

PATRICK McMATH
COUNCIL PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Presented to the Mayor this 21st day of November, 2018, at 12:00 o'clock P .M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Approved ✓ or Vetoed ___ by the Mayor on this 26th day of November, 2018.

MICHAEL B. COOPER
MAYOR

Received from the Mayor on the 26th day of November, 2018, at 9:00 o'clock A .M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK