

RESOLUTION NO. 2023-44

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING CERTAIN CIVIL PENALTIES FOR VIOLATION OF SECTION 2.04.04.B.19 OF THE LAND DEVELOPMENT CODE, ORDINANCE NO. 1999-51, AS AMENDED, REGARDING SHORT TERM VACATION RENTALS; ADOPTING FINDINGS OF FACT; ADOPTING DEFINITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on or about May 4, 2021, the St. Johns County Board of County Commissioners (“Board”) passed and enacted Ordinance No. 2021-23, amending the Land Development Code to add a new Section 2.02.04.B.19 that would allow for a Short Term Vacation Rental to be considered an allowable Accessory Use in all residential zoning districts, subject to certain exemptions and to continuing compliance with certain provisions; and

WHEREAS, Section 2.02.04.B.19 provides, among other things, that each non-exempt Short Term Vacation Rental shall be registered with St. Johns County (“County”) every twelve (12) months, shall adhere to certain use and occupancy standards, and shall post certain required information inside the Short Term Vacation Rental; and

WHEREAS, noncompliance with any provision of Section 2.02.04.B.19 shall constitute a violation of the Land Development Code and may be enforced as provided in Section 10.05.01 thereof, with the applicable civil penalty in the amount established by the Board by resolution; and

WHEREAS, by passage of this Resolution, the Board intends to establish such civil penalties which shall apply in all citation proceedings under Section 162.21, Florida for noncompliance or violation of Section 2.02.04.B.19; and

WHEREAS, the civil penalties established in this Resolution are reasonable and appropriate in order to provide for the protection and preservation of the public health, safety and welfare; and

WHEREAS, the Board finds and determines that adoption of this resolution is in the interest of the public and St. Johns County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are incorporated by reference into the body of this Resolution, and such recitals are adopted as findings of fact.

Section 2. “Land Development Code,” when used in this Resolution, shall mean St. Johns County Ordinance No. 1999-51, as amended.

Section 3. The definitions set forth in Article XII of the Land Development Code are adopted and incorporated in this Resolution.

Section 4. The Board does hereby establish the civil penalties per violation set forth in Schedule "A," attached hereto and incorporated herein by reference, which shall apply in all citation proceeding under Section 162.21, Florida Statutes, for violation of Section 2.02.04.B.19 of the Land Development Code or any provision thereof.

Section 5. Nothing in this Resolution, nor the establishment of the civil penalties set forth in Schedule "A," shall be deemed or construed to limit or prevent the County from enforcing the provisions of Section 2.02.04.B.19 of the Land Development as otherwise provided in the Land Development Code or as allowed by law or equity, or from seeking all other available remedies, including, but not limited to, prosecuting a violation under Part I of Chapter 162, Florida Statutes, in which such case, a special magistrate shall be authorized to hold hearings, assess fines, and order other relief, in accordance with the statute and St. Johns County Ordinance No. 2007-21, as may be amended from time to time.

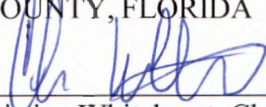
Section 6. It is the intent of the Board, and is hereby provided, that if any section, subsection, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any County of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions or sections of this Resolution.

Section 7. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board.

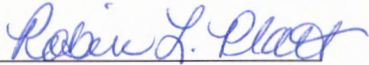
Section 8. This Resolution shall take effect on upon adoption.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of February, 2023.

BOARD OF COUNTY COMMISSIONERS OF ST.  
JOHNS COUNTY, FLORIDA

By:   
Christian Whitehurst, Chair

ATTEST: Brandon J. Patty,  
Clerk of the Circuit Court & Comptroller

By:   
Deputy Clerk

Rendition Date FEB 07 2023



SCHEDULE "A"

CIVIL PENALTIES

		<u>Uncontested</u>	<u>Contested</u>
A.	<u>First Violation:</u>	<b>\$250.00</b>	<b>\$375.00</b>
B.	<u>Repeat Violation:</u>	<b>\$482.00</b>	<b>\$500.00</b>