

RESOLUTION NO. _06-2021

MORATORIUM RESOLUTION LIMITING THE ISSUANCE OF OCCUPATIONAL TAX CERTIFICATES OR ISSUANCE OF PERMITS FOR SHORT TERM VACATION RENTALS; SUBJECT TO EXCEPTIONS, FOR A PERIOD OF NINETY DAYS

WHEREAS, the City of Tybee Island (the City) is a municipality duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the municipal government of the City is the Mayor and Council thereof; and

WHEREAS, the Mayor and Council have previously adopted ordinances to address issues concerning short term vacation rentals; and

WHEREAS, in recent years the City has had a substantial increase of short term vacation rental operations such that those establishments are over or near 40% of housing units existing on Tybee Island imposing burdens on infrastructure including, but not limited to, water withdrawals; and

WHEREAS, the operation of short term vacation rentals is the subject of ongoing studies and analysis implicating zoning, regulatory and enforcement issues such that the Mayor and Council find that a moratorium is necessary in order for the City, through its staff and elected officials, to investigate and explore the impact of such operations and opportunities to improve the quality of life and to enhance public safety for all residents and visitors to the City of Tybee Island; and

WHEREAS, the City has previously adopted numerous ordinances and resolutions regarding identification procedures for short term vacation rentals, signage on properties for short term vacation rentals, monitoring and regulating noise, water/sewer usage and enhancing enforcement personnel activity. All these activities are intended to lessen the impact of the

vacation-oriented behavior of visitors when occupying rentals on the island in an effort to maintain a reasonable quality of life and safety of permanent residents and visitors. In addition, as the City has purchased software to better monitor and police short term vacation rentals and supported the formation of citizen work groups to analyze and discuss short term vacation rentals and their impact; and

WHEREAS, the Mayor and Council find that the imposition of a moratorium for ninety days on the issuance of any further permits for short term vacation rental locations subject to the exceptions below is appropriate in order for the City to investigate issues including water withdrawal impacts, zoning improvements, infrastructure demands, parking, public safety and to explore further methods of controlling or regulating occupancy to a reasonable degree for such short-term rental operations; and

NOW THEREFORE BE IT RESOLVED, in open meeting, by the Mayor and Council that for a period of ninety days from the effective date hereof, the City shall not issue any further permits, except as allowed herein, for the operation of or the identification of short term vacation rental properties or units as defined by the ordinance of the City or the laws of the State of Georgia while the City undertakes the investigation, data gathering and studies described above and as discussed in open meetings, including, but not limited to meetings of the Mayor and Council of August 26, 2021.

BE IT FURTHER RESOLVED, that notwithstanding the above, new permits may be issued for any location that had previously been permitted that was transferred by bona fide sale prior to the date hereof or any such locations transferred during the period covered by this moratorium, including any extensions; and

BE IT FURTHER RESOLVED, that notwithstanding the above, locations that were not previously identified and permitted may be permitted by the new owner upon proof of a bona fide sale to the new owner.

BE IT FURTHER RESOLVED, the City will undertake its investigation in an expedited manner but that if the investigation requires additional time for completion beyond the ninety day period Mayor and Council may extend the restrictions on issuance of permits for the operation of short term vacation rental properties for additional periods upon adoption of an appropriate extension resolution.

BE IT SO RESOLVED.

This _____ day of _____, 2021.

CITY OF TYBEE ISLAND, GEORGIA

By: _____
SHIRLEY SESSIONS, Mayor

Attest:

City Clerk