

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 2022-25

AN ORDINANCE AMENDING ORDINANCE 2022-08 REGARDING SHORT-TERM RENTALS WITHIN THE CITY OF GEORGETOWN.

SUMMARY

1. Clarifies the meaning of “civil violation” for purposes of short-term rental license revocation.
2. Dictates that short-term rentals shall not be allowed in areas not considered to be primary dwellings.
3. Establishes occupancy restrictions, limiting short-term rentals to two (2) adults per bedroom, plus no more than two (2) additional adults and capping total occupancy at ten (10) persons regardless of the number of bedrooms available in the short-term rental; limits bedrooms under one hundred twenty (120) square feet to one (1) adult occupant.
4. Provides additional content required in all short-term rental advertisements and contracts, including a statement of maximum lawful occupancy for the specific short-term rental, a prohibition against hosting parties at the short-term rental, and a clear statement requiring that guests adhere to the City’s Code of Ordinances, including but not limited to noise, nuisance, traffic and parking provisions.
5. Provides for repeal of inconsistent laws, severability of provisions, and an effective date upon passage and publication.

The full text of this Ordinance is available for examination in the City Clerk’s Office, 100 North Court Street, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

INTRODUCED AND PUBLICLY READ FIRST TIME: September 12, 2022

PUBLICLY READ SECOND TIME AND PASSED: September 26, 2022

APPROVED: *Tom Prather*
[Tom Prather \(Sep 27, 2022 15:19 EDT\)](#)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
[Tracie Hoffman \(Sep 27, 2022 15:30 EDT\)](#)
Tracie Hoffman, City Clerk

I, Devon E. Golden, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2022-25 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.



Devon E. Golden

ORDINANCE 2022-25

AN ORDINANCE AMENDING ORDINANCE 2022-08 REGARDING SHORT-TERM RENTALS WITHIN THE CITY OF GEORGETOWN.

SPONSORS: Tammy Lusby Mitchell and David Lusby

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GEORGETOWN, KENTUCKY:

SECTION ONE

Ordinance 2022-08, entitled "Short-Term Rentals," is amended as follows:

Sec. 24-61. Annual registration required.

No person, firm or corporation shall own or operate a short-term rental on any premises within the City of Georgetown unless the short-term rental has been registered annually with the Georgetown-Scott County Revenue Commission ("GSCRC").

- (A) The Director may refuse to issue or renew the registration of a short-term rental until all outstanding penalties associated with violations of Sections 24-60 through 24-67 that have been assessed against the property owner and/or Host are paid in full.
- (B) The Director may refuse to issue or renew the registration of a short-term rental until all outstanding fines and liens that have been assessed by the City of Georgetown, GSCRC or Georgetown-Scott County Tourism Commission against the subject property are paid in full.
- (C) The Director may deny or refuse to renew the registration of any Host for violating or failing to comply with any applicable provision of Sections 24-60 through 24-67.
- (D) If the property is subject to two (2) or more [substantiated] civil **violations** [complaints] or the Host is found to have twice violated or failed to comply with any applicable provision of Sections 24-60 through 24-67 with respect to a given property within a 12-month period, the Director may revoke the registration. **For purposes of this sub-section, a civil violation shall mean a final, unappealable code enforcement order.** When the Director revokes a registration pursuant to this sub-section, the owner and Host shall be notified of the revocation and shall have thirty (30) days in which to request an appeal. Appeals shall be heard pursuant to the provisions set forth in

Chapter 2, Article VI. If no appeal is requested, the revocation shall become final on the thirty-first (31st) day after the initial action by the Director. Civil ~~complaints~~ **violations** include, but are not limited to, ~~reported~~ violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing and mechanical codes.

- (E) When any owner or Host has a short-term rental registration revoked, they shall be ineligible to receive any new short-term rental registrations for a period of one (1) calendar year **from the date of revocation.**

Sec. 24-66. Duties of a Host; General Restrictions.

It shall be the duty of a Host under this Article to ensure that:

- (A) There shall be no more than one (1) contract per short-term rental at a time;
- (B) Short-term rentals shall not be allowed on any area not considered a primary dwelling (i.e. recreational vehicles, tents, garages, boats, etc.);**
- ~~[(B)]~~ **(C)** There shall be no signage on the premises of the short-term rental advertising or identifying the short-term rental in residential zoning districts;
- ~~[(C)]~~ **(D)** The name, telephone number and email address of the emergency contact, as identified in the annual registration, shall be conspicuously posted within the short-term rental; and
- ~~[(D)]~~ **(E)** Any Host using a Hosting Platform shall include the valid, GSCRC-issued, registration number for the short-term rental in the Short-Term Rental Advertisement.
- (F) Short-term rental occupancy is limited to two (2) adult guests per bedroom, plus no more than two (2) additional adults, except that:**
 - (1) There shall be a maximum occupancy of ten (10) persons per short-term rental, including adults and children; and**
 - (2) Bedrooms under one hundred twenty (120) square feet shall be limited to only one (1) adult occupant.**

Sec. 24-67. Advertising on a hosting platform.

- (A) Short-term rentals registered in accordance with Section 24-61 may be advertised for short-term stays of less than thirty (30) days on a Hosting Platform. A Host and/or property owner that advertises an un-registered short-term rental, **or advertises a**

short-term rental in violation of this ordinance, on a Hosting Platform is subject to enforcement as stated in Section **24-69** [24-68].

(1) Hosts shall include the following in all advertisements and contracts for short-term rentals:

- a. **Language that specifies the lawful maximum number of occupants for the short-term rental;**
- b. **A clear statement indicating that no parties may be hosted at the short-term rental; and**
- c. **A clear statement indicating that guests shall adhere to the city's Code of Ordinances, including, but not limited to, its noise, nuisance, traffic and parking provisions.**

(B) The Director may request that a Hosting Platform remove any listing or Short-Term Rental Advertisement from the platform where the registration number associated with a short-term rental listing is invalid, expired or has been revoked. The Director shall identify the listing(s) to be removed by the listing URL and displayed registration number (whether valid or invalid) and state the reason for removal. The Hosting Platform shall remove the listing within ten (10) business days of notification by the Director.

(C) The Director may request that a Hosting Platform provide the following information to the Georgetown-Scott County Revenue Commission on a monthly basis:

- (1) The total number of short-term rentals in the City of Georgetown that were listed on the platform during the applicable reporting period; and
- (2) The total number of nights all short-term rental units were rented through the platform during the applicable reporting period.

When requested, these reports shall be due on the last day of each month and shall include information from the preceding month (example: on June 30, the May report shall be due).

(D) Pursuant to KRS 65.8821, the Code Enforcement Board shall have the authority to subpoena information from any Hosting Platform. Any such subpoena shall:

- (1) Be submitted in writing by the Code Enforcement Board attesting that the City of Georgetown has a reasonable belief, based on evidence, that a short-term rental may be in violation of Sections 24-60 through 24-67;
- (2) Be served on the Hosting Platform via its registered agent;
- (3) Be related to a specific investigation by the City of Georgetown relating to a short-term rental that is identified in the subpoena; and

(4) Identify the alleged violations of Sections 24-60 through 24-67.

The Hosting Platform shall notify its Host of the information requested in the subpoena within ten (10) business days of receiving the subpoena and shall produce records within twenty-one (21) days of providing notice to the Host, except to the extent that the Host has sought relief in a court of competent jurisdiction.

SECTION TWO

If any section, subsection, paragraph, sentence, clause, phrase, or a portion of this ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

SECTION THREE

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION FOUR

This Ordinance shall be in full force and effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: September 12, 2022

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