

RESOLUTION NO.00-03-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ADOPTING AN INTERIM POLICY TO TEMPORARILY SUSPEND CODE ENFORCEMENT ACTIONS PERTAINING TO SHORT TERM VACATION RENTALS PENDING A STUDY AND ASSESSMENT OF THE CITY'S NEEDS IN THIS AREA AND A REVIEW OF THE CITY'S COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS REGARDING THE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marathon has the status of a popular tourist destination which has made the use of residential dwelling units for vacation rental uses an increasingly common practice within the City; and

WHEREAS, the City Council has determined that preservation of the character of residential neighborhoods is a legitimate and beneficial goal; and

WHEREAS, the City Council also recognizes the importance to the economic well-being of the City and its residents the continued use of residential dwelling units as vacation rentals; and

WHEREAS, the City is subject to the current regulations in Chapter 9.5 of the City Code, ("City Code" refers to the Monroe County Land Development Regulations as the same are applicable to the City pursuant to the City Charter) regulating short term vacation rentals; and

**WHEREAS**, as part of the Comprehensive Planning process and review of the City's current Land Development Regulations , the City intends to study the needs of the community regarding short term vacation rentals; and

**WHEREAS**, the City has limited resources to address code enforcement matters and currently desires to allocate its resources to the enforcement of code violations involving building code, life safety and health issues.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Enforcement Policy. The City Council authorizes the temporary suspension of code enforcement actions against existing short-term vacation rental uses in prohibited zoning categories pending a study of the needs of the community and the impact of the same on the community and a review of the City's Comprehensive Plan and associated Land Development Regulations regarding vacation rentals. Provided further that the Policy does not include suspension of code enforcement action for violations of nuisance and noise regulations, that may be affected by such uses or other regulations pertaining to the licensing and taxation of such uses.

Section 3. Effect of Policy. This Policy is not intended to authorize new short term vacation rentals in land use categories and zoning districts in prohibition of the City's

Comprehensive Plan and Land Use Regulations. This Resolution does not confer vested rights, nor in any way serve as the basis for asserting a claim of equitable estoppel or laches against the City. The City Council may change the Policy at its discretion.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 23<sup>RD</sup> day of March, 2000..



ROBERT MILLER, MAYOR ATTEST:



JOANNE WEBER, ACTING CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY



ACTING CITY ATTORNEY