



# City of Flagler Beach

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To: Fellow Flagler Beach Residents

From: Jane Mealy, City Commission Chair

Subject: **Short Term Rental Legislation**

Date: February 6, 2018

The Florida State Legislature is currently in session and is continuing its attack on "Home Rule", despite the fact that, in 1968, Florida voters amended the State Constitution to delegate Home Rule authority to municipalities and counties. One issue the Legislature is attempting to preempt cities and counties from governing in a way the majority of resident's desire is that of vacation, or short term, rentals.

In 2008, after a great deal of discussion and sometimes heated debate among residents and between residents and the City Commission, an ordinance was passed in our City regulating short term rentals in the manner that worked best for our City. During the last few Legislative sessions, our State leaders have attempted to preempt such ordinances at the City and County level and create laws at the State level that would be one-size-fits-all rules throughout the State. This year is no exception.

Should the bills up for debate in the Legislature this year pass, Flagler Beach would no longer be able to regulate commercial activity in residential areas. Legislators claim that vacation rentals are residential in nature and, thus, belong in residential neighborhoods. The house next to you, possibly owned by an out-of-state investor, could be turned into a "hotel", causing you to have new neighbors every few days, putting a strain on residential infrastructure, causing parking and possible noise-level issues, putting a strain on first responders and sanitation workers. All short term rental licenses would be issued by the State, fire and building code inspections would be performed by the State (every two years, with only 1% of all short term rentals being inspected each year statewide), yet it would be up to local Law Enforcement to make sure that the laws are upheld. (License fees would be collected by the State, but the increased costs to the City would no longer be funded by the license fees). Single family residential homes would be allowed to rent to up to six people per bedroom (a home with three bedrooms = 18 people). A local government could only regulate vacation rental properties in the same manner as they regulate all residential properties. The City Commission would no longer be able to determine short term renters' length of stay nor the frequency of short term rentals at any property.

The Flagler Beach Commission and City Manager have been actively working to prevent such legislation from being enacted. However, as Legislative committees continue to meet, it appears as though this preemption will occur.

We are now asking for you, as a resident of our great City and a voter who elects our State level Representatives, to become more actively involved by contacting our legislators and sharing your thoughts with them regarding this issue. The bills you should discuss are:

- SB 1400 (submitted by Senator Steube)
- SB 1640 (submitted by Senator Simmons) – The Florida Vacation Rental Act, which will allow local agencies to follow zoning rules.

Contact:

Senator Travis Hutson  
314 Senate Office Building  
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Tallahassee, FL 32399-1100  
(850) 487-5007  
[Hutson.Travis@flsenate.gov](mailto:Hutson.Travis@flsenate.gov)

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Let's all work to preserve the unique character of our City, to preserve the Commission's ability to govern as is best for our City, and to preserve our residential neighborhoods.