

## BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ [www.baldwincountyga.com](http://www.baldwincountyga.com)

### SHORT-TERM VACATION RENTAL CERTIFICATE INFORMATION (FOR NEW APPLICATIONS)

Before anyone can offer short-term vacation rentals to the public in Baldwin County, they must obtain a Short-Term Vacation Rental (STR) Certificate and complete an Occupation Registration.

Your application package includes the following:

- a) Information Page
- b) County's STR application (3 pages)
- c) Occupation Registration form (1 page)
- d) Letter of Intent
- e) Letter of Agency
- f) Lodging Tax Information
- g) Public Safety Information form
- h) SAVE Affidavit
- i) E-Verify Affidavit **\*if you have more than 10 employees you must complete this affidavit\***
- j) E-Verify Exemption Affidavit
- k) Copy of the County's Short-Term Vacation Rental Ordinance

The following must be submitted before we can consider your application:

- a) Completed STR application (all 3 pages signed and notarized)
- b) Completed Occupation Registration (signed)
- c) Letter of Intent (signed)
- d) Rental Agreement Example (with required language)
- e) Proof of Ownership
- f) Proof of Homeowner's Insurance
- g) Letter of Agency (if applicable)
- h) Public Safety Information form
- i) SAVE Affidavit (signed and notarized)
- j) E-Verify Affidavit **OR** E-Verify Exemption Affidavit (signed and notarized)
- k) Copy of Valid Driver's License
- l) Application Fee of \$100.00 for Occupation Registration (separate checks)

**The application will not be accepted without all of the above documents.**

The annual fee shall be paid at the time application is made for the certificate. No certificate will be issued until all required information has been submitted and approval has been received from the Tax Commissioner, Building Inspector and/or Fire Marshal, County Clerk, and Chief Building Official.

The entire application package and complete instructions can also be found on the county web site [www.baldwincountyga.com](http://www.baldwincountyga.com). All forms can be filled out on your computer, then printed, signed, and submitted.

#### RENEWALS

Short-Term Vacation Rental certificates are renewable annually by December 31<sup>st</sup>. As a courtesy, by November 1<sup>st</sup> each year, we will send you an application, a copy of our current ordinances and instructions on how to renew your certificate. **IT IS YOUR RESPONSIBILITY TO ENSURE THAT YOUR CERTIFICATE IS RENEWED.**

BALDWIN COUNTY BOARD OF COMMISSIONERS



APPLICATION FOR SHORT-TERM VACATION RENTALS IN BALDWIN COUNTY, GEORGIA

(A separate rental certificate shall be required for each establishment)

1. Date of Application \_\_\_\_\_

2. Type of Certificate – please check one:
\_\_\_ New \_\_\_ Renewal

3. Annual Rental Certificate Fee per Establishment, \$110.00

4. Type of Lodging:
\_\_\_ Bed & Breakfast \_\_\_ Boarding House \_\_\_ Private Home

5. Owner on Record of Dwelling Unit for which a certificate is sought:

Full Legal Name\* \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address: \_\_\_\_\_

\*(If owner is not a natural person, use separate sheet to identify all partners, officers and/or directors of any such entity, including personal contact information.)

6. Business Name (if applicable):

Business Name \_\_\_\_\_

DBA Name (if applicable) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

7. Unit to be used as a short-term vacation rental:

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

8. **Maximum occupancy** (this shall be the same number as advertised and marketed to potential renters by or on behalf of the owner: \_\_\_\_\_)

\*Owner shall not allow overnight occupancy to exceed the maximum capacity

9. **Who to contact if there are questions regarding the application:**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address: \_\_\_\_\_

10. **Agent:** (if other than owner) \*Please provide 24-hour contact information This person shall:

- a. Be reasonably available to handle any problems arising from use of the rental unit;
- b. Appear on the premises within 24 hours following notification from the Chief Building Official, or his/her designee, of issues related to the use or occupancy of the premises;
- c. Receive and accept service of any notice of violation related to the use or occupancy of the premises; and
- d. Monitor the rental unit for compliance with the Baldwin County Code of Ordinances

Full Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address: \_\_\_\_\_

11. Owner agrees to use his or her best efforts to assure that use of the premises by short-term vacation rental occupants will not disrupt the neighborhood and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.

12. Applicant must attach the following:

\_\_\_A copy of the standard rental agreement form used between the owner and occupant(s). The agreement must contain the following language: "Occupant is obligated to abide by all of the requirements of the Baldwin County ordinances, state and federal law, and such a violation of any of these rules may result in the immediate termination of the agreement and eviction from the premises, as well as potential liability for payment of fines levied."

\_\_\_Proof of the owner's current ownership of the short-term vacation rental unit (i.e. deed, tax records, etc.)

\_\_\_Proof of homeowner's insurance (must list the owner's name, address of rental unit, and policy dates.)

13. Applicant agrees that the rental certificate applied for by him/her shall not, when granted, become a civil contract between the applicant and the governing authority of the County, but shall operate purely as a rental certificate to the applicant, and said rental certificate may be revoked by the Board of Commissioners of said County at any time.

14. Applicant hereby acknowledges his/her duty to collect a hotel/motel tax and remit same to the County Clerk monthly on or before the 20th day of each succeeding month in which such taxes are collected. **Report is due (even if no rent is collected for the month) on or before the 20th day of the following month.**

15. Applicant herewith tenders the sum of \$110.00 as the rental certificate fee on the business proposed to be conducted by the applicant. Applicant asks that he/she be granted a rental certificate to operate the aforesaid business.

I, \_\_\_\_\_, solemnly swear, subject to the penalties for false swearing as provided under Georgia Law, all information required in this application and supporting documents for a short-term rental certificate is true and correct to the best of my knowledge and I fully understand that any false information may cause the denial or revocation of said certificate. I further state that I have received a copy of Sec. 16.75. - AN ORDINANCE FOR Short-Term Vacation Rental of the Baldwin County Code of Ordinances, have reviewed them and understand the requirements and am authorized to make application for said certificate.

\_\_\_\_\_  
Print full name as signed below

\_\_\_\_\_  
Signature of Owner or Agent\* Title Date

**\*If signed by the Agent, a "Letter of Agency" must be included with the application.**

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (SEAL)

*The written application for a rental certificate on file with the Board of Commissioners shall be a permanent record which the certificate holder must maintain current with correct information at all times. The failure to maintain a current application shall be grounds for revocation of a rental certificate.*

\_\_\_\_\_  
(For Baldwin County Office Use Only)

Name of Owner \_\_\_\_\_

Name of Business (if applicable) \_\_\_\_\_

Payment Received: \$ \_\_\_\_\_ Date \_\_\_\_\_ Receipt # \_\_\_\_\_

Approval: (please sign appropriate line below)

Building Inspector \_\_\_\_\_ Date \_\_\_\_\_

Fire Marshal \_\_\_\_\_ Date \_\_\_\_\_

Tax Commissioner \_\_\_\_\_ Date \_\_\_\_\_

Planning & Development Director \_\_\_\_\_ Date \_\_\_\_\_



**20\_\_ OCCUPATION TAX APPLICATION**  
 BALDWIN COUNTY BUSINESS SERVICES  
 1601 N. COLUMBIA ST, SUITE 200  
 MILLEDGEVILLE, GA 31061  
 PHONE: 478-445-4205  
 FAX: 478-445-1648

OFFICE USE ONLY

APPROVED     DENIED    DATE: \_\_\_\_\_  
 SIGNATURE OF FIRE DEPT. OFFICIAL

APPROVED     DENIED    DATE: \_\_\_\_\_  
 SIGNATURE OF TAX ASSESSOR OFFICIAL

APPROVED     DENIED    DATE: \_\_\_\_\_  
 SIGNATURE OF LAND USE ADMIN OR BUILDING OFFICIAL

**APPLICATIONS FORMS MUST BE COMPLETED EACH YEAR  
 EVEN IF ALL INFORMATION REMAINS THE SAME.**

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. CASH OR CHECKS, MADE PAYABLE TO BALDWIN COUNTY PLANNING & DEVELOPMENT, ARE DUE WITH COMPLETED APPLICATION.

**ALL FORMS MUST BE COMPLETED TO ACQUIRE LICENSE.**

**FOR NEW BUSINESSES:**

1. Submit a plat of the property & a copy of a valid identification card along with the completed application packet.
2. Submit a **non-refundable** \$25.00 fee with completed application.

**FOR RENEWALS:**

1. A completed application packet, even if nothing is changed, must be submitted along with the fee.
2. A copy of a valid driver's license OR I.D. card must be submitted with your paperwork!

**BUSINESS INFORMATION**

**OWNER INFORMATION**

BUSINESS NAME: \_\_\_\_\_

OWNER NAME: \_\_\_\_\_

BUSINESS LOCATION: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

BUSINESS MAILING ADDRESS (If different from location): \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE NUMBER: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

SOCIAL SECURITY #: \_\_\_\_\_

BUSINESS NUMBER: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

FEDERAL ID #: \_\_\_\_\_

BUSINESS DESCRIPTION: \_\_\_\_\_

SALES TAX #: \_\_\_\_\_

EVERIFY #: \_\_\_\_\_

STATE LICENSE #: \_\_\_\_\_

DRIVERS LICENSE #: \_\_\_\_\_

**BUSINESS TYPE**

**TYPE OF REGISTRATION**

HOME OFFICE

NEW

COMMERCIAL

RENEWAL (PENALTY OF \$25 APPLIED ON MARCH 2ND)

INDUSTRIAL

CLOSED (DATE CLOSED: \_\_\_\_\_)

ONLINE

**TYPE OF OWNERSHIP**

SOLE OWNERSHIP

CORPORATION

NON-PROFIT

PARTNERSHIP

LLC / LLP

**TOTAL # OF EMPLOYEES**

**CHECK**

**TOTAL TAX DUE**

1-3    (   )    \$100.00

4-9    (   )    \$200.00

10-19    (   )    \$350.00

20-29    (   )    \$500.00

30-39    (   )    \$800.00

40-49    (   )    \$1000.00

50+    (   )    \$1500.00

**\*\* I agree to abide by all the laws of the State of Georgia and Baldwin County concerning the sales of any merchandise, product or service for which this license is issued. I understand that the premises must meet all the building and life safety codes and as an applicant I am subject to a criminal background check and if any information given on this application is misrepresented the license may be revoked.\*\***

SIGNATURE

TITLE

DATE

**OVER FOR ALCOHOL RELATED BUSINESS LICENSING**

**BALDWIN COUNTY BOARD OF COMMISSIONERS**



---

1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ [www.baldwincountyga.com](http://www.baldwincountyga.com)

**LETTER OF INTENT FOR  
SHORT-TERM VACATION RENTALS**

I/We, the undersigned owner(s) of real property located in Baldwin County, Georgia, do hereby state our intent is to rent our home to individuals or groups for the purpose of short-term vacations (less than 30 days).

Address of rental home:

---

---

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Property owner(s):

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

**BALDWIN COUNTY BOARD OF COMMISSIONERS**



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ www.baldwincountyga.com

**LETTER OF AGENCY FOR  
SHORT-TERM VACATION RENTALS**

I/We, the undersigned owner(s) of real property located in Baldwin County, Georgia, hereby appoint \_\_\_\_\_ to be my/our Agent for the purpose of applying for a Short-Term Vacation Rental Certificate for the following address:

\_\_\_\_\_  
\_\_\_\_\_

Attached hereto is proof of current ownership of the property to which this Letter of Agency applies.

The above-named Agent hereby is authorized to complete and sign the application for a Short-Term Vacation Rental Certificate on our behalf. We understand that this Letter of Agency will be attached to and made part of the application and will be relied upon by Baldwin County. For and in consideration of Baldwin County accepting this Letter of Agency, we hereby indemnify and hold harmless Baldwin County and its agents and/or employees in the event that the above-named agent should misuse this Letter of Agency and we suffer damages as a result.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Property owner(s):

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Sworn to and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public (SEAL)

## BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ [www.baldwincountyga.com](http://www.baldwincountyga.com)

### PUBLIC SAFETY INFORMATION

The information requested in this form is for public safety purposes only. Frequently emergencies (i.e. burglary, fire, etc.) occur at business establishments after hours and it is imperative emergency personnel have the ability to contact business owners or employees. Information regarding hazardous materials will also be of great assistance to fire personnel in the event of a fire on the premises.

Business Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Business Telephone Number: \_\_\_\_\_

Does Business have an alarm system? Yes  No

Name of Alarm Service: \_\_\_\_\_

Telephone Number of Alarm Service: \_\_\_\_\_

Does Business have video surveillance cameras? Yes  No

Are hazardous materials (flammables, incendiaries, munitions, explosives, or biohazards) stored on business premises? Yes  No

If yes, please list all hazardous materials:

\_\_\_\_\_

Please provide location within building/premises where these materials are stored:

\_\_\_\_\_

Name of electric utility company providing service to business: \_\_\_\_\_

Name of natural gas/propane gas vendor providing service to business: \_\_\_\_\_

List of after-hours contacts to be called in the event of an emergency at the business location:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_



BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ www.baldwincountyga.com

SAVE Affidavit

(U.S. Citizens are only required to provide this affidavit one time)

By executing this affidavit under oath, as an applicant for a Baldwin County Short-Term Vacation Rental Certificate as referenced in O.C.G.A. § 50-36-1, from the Baldwin County Board of Commissioners, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

Please check one box only

- 1) [ ] I am a United States citizen
2) [ ] I am a legal permanent resident of the United States
3) [ ] I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1, with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

Signature of Applicant: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

Notary Public Signature: \_\_\_\_\_

Affix Notary stamp/seal here

My Commission Expires: \_\_\_\_\_

BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ www.baldwincountyga.com

E-Verify Affidavit
(For Businesses that have more than 10 employees)
(Required with initial application only)

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation employs more than ten employees and has registered with and utilizes the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-90. Furthermore, the undersigned private employer hereby attests that its federal work authorization user identification number and date of authorization are as follows:

E-Verify Number (must be a number between 4 and 6 digits): \_\_\_\_\_

Date of Authorization: \_\_\_\_\_

Name of Individual or Business: \_\_\_\_\_

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

Signature of Owner, Authorized Officer or Agent: \_\_\_\_\_

Printed Name and Title of Owner, Authorized Officer or Agent: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

Notary Public Signature

My Commission Expires: \_\_\_\_\_

Affix Notary Stamp/Seal here

BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ www.baldwincountyga.com

**E-Verify Exemption Affidavit**  
**(For Businesses that have 10 or less employees)**  
**(Required with initial application only)**

By executing this affidavit, the undersigned private employer verifies that it is exempt from compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation employs fewer than eleven employees and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-90.

Name of Business or Individual: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in  
\_\_\_\_\_ (city), \_\_\_\_\_ (state).

Signature of Owner, Authorized Officer or Agent: \_\_\_\_\_

Printed Name and Title of Owner, Authorized Officer or Agent: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

Affix Notary Stamp/Seal here

My Commission Expires: \_\_\_\_\_

BALDWIN COUNTY BOARD OF COMMISSIONERS



1601 N. Columbia Street, Suite 200 ♦ Milledgeville, GA ♦ 31061 ♦ 478-445-4205 ♦ 478-445-1648 fax ♦ www.baldwincountyga.com

DEPARTMENT OF REVENUE



**IMPORTANT INFORMATION REGARDING LODGING TAXES**

There are three types of taxes/fees that must be collected if you are renting your home for Short-term Rentals:

1. Baldwin County is authorized to collect a Hotel-Motel Excise Tax in the amount of **8%** under O.C.G.A. § 48-13-51(b). This amount is to be remitted directly to the Baldwin County Board of Commissioners.
2. In addition, the standard sales and use tax is separate from this excise tax and is to be remitted directly to the Georgia Department of Revenue. (The combined sales tax rate for Baldwin County is **8%**. This is the total of state and county sales tax rates. The Georgia state sales tax rate is currently 4%. The Baldwin County sales tax rate is 4%.)
3. The State of Georgia charges a state hotel-motel fee at \$5 per night on each calendar night a hotel room is rented until the rental becomes an "extended stay rental." An "extended stay rental" is the rental of a hotel room for 31 or more consecutive days to the same customer. This fee only applies to private homes with five (5) or more bedrooms.

**For Example:**

Room Rate (per night)	\$99.00	
Hotel-Motel Tax-8%	\$7.92	Paid to Baldwin County
Sales & Use Tax-8%	\$7.92	Paid to Georgia Department of Revenue
State Hotel Motel Fee	\$5.00 per night (if 5+ bedrooms)	Paid to Georgia Department of Revenue

**TO AMEND CHAPTER 16 OF THE BALDWIN COUNTY CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT CODE"; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**THE BALDWIN COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS**

**SECTION 1.** That section 16-75 of the Code of Ordinances, Baldwin County, Georgia is hereby amended to read as follows:

**Sec. 16-75. Short-term vacation rentals.**

- (a) As used in this section "short-term vacation rental" means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days. Short-term vacation rental shall not include any residential dwelling unit not regularly offered for rental, which shall be defined as any residence offered for rental less than 14 days in any given calendar year. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude group living or other lodging uses.
- (b) *Certificate Required.* A separate short-term vacation rental certificate shall be required for each residential dwelling operating as a short-term vacation rental. No person shall rent, lease, or otherwise exchange for compensation all or any portion of a residential dwelling as a short-term vacation rental, as defined in this section, without first obtaining a short-term vacation rental certificate and complying with the regulations contained in this section. No short-term vacation rental certificate under this ordinance may be transferred, assigned, or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.
- (c) *Expiration.* All short-term vacation rental certificates shall expire annually on December 31. Short-term vacation rental certificates shall not automatically renew. Instead, new applications for a short-term vacation rental certificate, accompanied by a fee as set forth by the county board of commissioners' fee schedule, must be submitted annually. Applications to renew will be prioritized over new applications.
- (d) *Application; fee.*
  - (1) An application for a short-term vacation rental certificate shall be submitted, under oath, on a form specified by the chief building official, or his/her designee, accompanied by a fee as set forth by the county board of commissioners' fee schedule, which shall include at a minimum the following information or documentation:
    - a. The name, mailing address, telephone number, and email address of the owner(s) of record of the residential dwelling unit for which a certificate is sought. If such owner is not a natural person, the application shall identify all partners, officers, members, and/or directors of any such entity, including personal contact information;

- b. The address of the unit to be used as a short-term vacation rental;
- c. The name, address, telephone number and email address of the short-term vacation rental agent, which shall constitute the owner's 24-hour contact information and who shall:
  - 1. Keep his or her name and emergency contact phone number posted in a readily visible place in the short-term vacation rental;
  - 2. Be reasonably available to handle any problems arising from use of the short-term vacation rental;
  - 3. Appear at the short-term vacation rental within two hours following notification from the chief building official, code enforcement officer, law enforcement officer, or his/her designee, of issues related to the use or occupancy of the property;
  - 4. Be designated by the owner as the person authorized to accept service of process on behalf of the owner of any notice of violation or citation related to the use or occupancy of the property; and
  - 5. Monitor the short-term vacation rental for compliance with this section.
- d. The owner's sworn acknowledgment that he or she has received a copy of this section, has reviewed it and understands its requirements;
- e. The owner's agreement to ensure that occupants abide by the restrictions and regulations set forth in this section;
- f. The maximum occupancy for the residential dwelling which shall be two persons per bedroom plus two additional persons;
- g. A vehicle parking plan specifying the number and location of parking spaces allotted to the property and indicating designated parking areas. The vehicle parking plan shall be sufficient to allow adequate parking for the maximum occupancy of the rental unit, but in no event shall the vehicle parking plan provide for a parking capacity of more than one vehicle per bedroom plus two additional vehicles;
- h. If the property has a dock on a lake, a docking plan specifying the number of boats or vessels allowed and location where such boats or vessels may be parked and tied to the dock. The docking plan shall be sufficient to ensure that no boats or vessels block water access to or otherwise interfere with another property owner's dock;
- i. A copy of a sample rental agreement between the owner and occupant(s) which obligates the occupant to abide by all of the requirements of this section, and other Baldwin County ordinances, state and federal law, and providing that a violation of any applicable laws may result in the immediate termination of the agreement and eviction from the property, as well as potential liability for payment of fines levied;
- j. Proof of the owner's current ownership of the short-term vacation rental unit; and

k. Proof of homeowner's insurance.

- (2) Registration under this code section is not transferrable and should ownership of a short-term vacation rental change, a new application shall be required, including application fee. In the event of any other change in the information or facts provided in the application, the holder of the short-term vacation rental certificate shall amend the filed application without payment of any additional application fee.
- (e) *Review of application.* Review of an application shall be conducted by the chief building official, or his/her designee, in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions and requirements of this chapter, or otherwise fails to demonstrate the ability to comply with local, state, or federal laws. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications. A short-term vacation rental certificate shall not be issued unless the owner demonstrates compliance with the applicable codes.
- (f) *Payment of taxes.* Short-term vacation rentals may be offered to the public for rental following issuance of a short-term vacation rental certificate, receipt of an occupation tax certificate, and payment of any and all applicable state and county taxes. Any taxes owed to the county relating to the lodging of individuals shall be paid to Baldwin County Board of Commissioners at the business services department and any failure to remit the same or to register pursuant to this section shall be subject to the penalties included in Chapter 50 Article II of this Code of Ordinances. Should an owner fail to pay any taxes owed to the county by the date such taxes become due, the chief building official shall revoke the owner's short-term vacation rental certificate and reject all applications for a short-term vacation rental certificate submitted by the owner for a period of 12 consecutive months.
- (g) *Regulations for short-term vacation rentals* Owners, short-term vacation rental agents, and occupants shall adhere to the following requirements:
- (1) Owners and short-term vacation rental agents shall not allow occupants to violate any federal state, or local law, statute, rule or ordinances, including, but not limited to, sections 10-51, 25-19 and Chapter 34-31 of this Code;
  - (2) Owners and short-term vacation rental agents shall ensure occupants do not disrupt or interfere with rights of adjacent property owners to quiet enjoyment of their property;
  - (3) Owners and short-term vacation rental agents shall ensure that occupancy of the short-term vacation rental never exceeds two persons per bedroom plus two additional persons per residential dwelling;
  - (4) Owners and short-term vacation rental agents shall ensure that vehicle parking is consistent with the vehicle parking plan submitted with the short-term vacation rental certificate application. Owners and short-term vacation rental agents shall not allow occupants to park vehicles on any street or road in a manner which could cause safety issues, hinder access to such roadways, or be in violation of any laws, regulations, or ordinances. No person occupying a short-term vacation rental shall park on any other person's property or block the driveway of any other person or

property owner without permission to do so. Any law enforcement officer may impound any vehicle found parking in such a manner;

- (5) Owners and short-term vacation rental agents shall ensure that there are never more vehicles on the property of a short-term vacation rental than the maximum number specified in the parking plan. Any law enforcement officer or code enforcement officer may order the owners or operators of the excess number of vehicles to remove them from the property and any person refusing to do so may be cited for violating this ordinance;
- (6) Owners and short-term vacation rental agents shall ensure that all boats and vessels are docked in a manner consistent with the docking plan submitted with the short-term vacation rental certificate application. Owners and short-term vacation rental agents shall not allow occupants to dock or otherwise tie any boat or vessel to the dock of any other property owner without the permission of the property owner, or to block water access to another property owner's dock. Any law enforcement officer or code enforcement officer may order the owners or operators of the boats or vessels docked or moored in violation of this ordinance to move their boat or vessel and any person refusing to do so may be cited for violating this ordinance;
- (7) Owners and short-term vacation rental agents shall ensure that there are never more boats or vessels docked or moored on a body of water adjacent to the property than the maximum number specified in the docking plan. Any law enforcement officer or code enforcement officer may order the owners or operators of the excess number of boats or vessels to remove them from the dock and any person refusing to do so may be cited for violating this ordinance;
- (8) Owners and short-term vacation rental agents shall ensure that no occupant goes upon any adjacent property without permission to do so;
- (9) Owners and short-term vacation rental agents shall ensure that any and all pets present at the property are leashed or contained at all times;
- (10) Owners and short-term vacation rental agents shall ensure that no occupant sublets the property or any rooms in the residential dwelling unit during rental;
- (11) Owners and short-term vacation rental agents shall ensure that all external lighting is directed within the parcel and does not impact adjacent properties;
- (12) Owners and short-term vacation rental agents shall ensure that all garbage and trash is stored in a trash container or appropriate receptacle and not be placed within or adjacent to any private or public right-of-way for a period of time greater than 48 hours;
- (13) Owners and short-term vacation rental agents shall place the short-term vacation rental certificate near the front door of the residential dwelling in a conspicuous place; and
- (14) Owners and short-term vacation rental agents shall ensure that occupants do not use the property for any event typically held at an event venue including, but not limited to, weddings, concerts, and large parties.

(h) *Enforcement*



- (1) Complaints regarding a short-term vacation rental may be provided in writing, by email, through the online code enforcement system, or by telephone to the code enforcement officer, which shall include a description of the complaint and the property address.
  - (2) Complaints shall result in a notice of the complaint being directed to the short-term rental agent and owner. The short-term rental agent shall be responsible for contacting the short-term rental occupant to correct the problem.
  - (3) If non-compliance with the provisions of this section occurs, the code enforcement officer or law enforcement officer shall conduct an investigation whenever there is reason to believe that an owner, short-term rental agent, and/or occupant has failed to comply with the provisions of this section. Should the investigation support a finding that a violation occurred, the code enforcement officer or law enforcement officer shall issue a citation providing written notice of the violation and intention to impose a penalty to the owner and short-term rental agent. The citation may be served on the owner and/or short-term rental agent by personal service on the owner and/or short-term rental agent, and shall specify the facts which, in the opinion of the code enforcement officer or law enforcement officer constitute grounds for imposition of the penalties.
  - (4) Citations resulting from the enforcement of this section shall be heard in the Magistrate Court of Baldwin County.
- (i) *Violations; revocation.*
- (1) A short-term vacation rental that is determined to be operating without the necessary short-term rental certificate shall subject the owner to a penalty of \$500.00. Each day the short-term rental is rented for accommodation without a certificate shall constitute a separate violation.
  - (2) Each day a violation of the provisions of this section continues, after the code enforcement officer or law enforcement officer notifies the owner and/or short-term rental agent of a complaint, shall constitute a separate violation.
  - (3) The penalties for violations of the provisions in this section shall be as follows:
    - a. For the first violation within any 12-month period, the penalty shall be a fine of not less than \$500.00, nor more than \$1,000.00;
    - b. For the second violation within any 12-month period, the penalty shall be a fine of \$1,000.00;
    - c. For the third violation within any 12-month period, the penalty shall be a fine of \$1,000.00; and
    - d. For any violation that occurs when more than a 12-month period has transpired, it shall start again as a first violation.
  - (4) Upon a conviction of violation, the chief building official may revoke the owner's short-term vacation rental certificate and reject all applications for a short-term vacation rental certificate submitted by the owner for a period of 12 consecutive months.

- (5) Upon conviction of a third violation within any 12-month period, the chief building official shall revoke the owner's short-term vacation rental certificate and reject all applications for a short-term vacation rental certificate submitted by the owner for a period of 12 consecutive months.
  - (6) Notice of revocation of the short-term vacation rental certificate shall be provided by the chief building official to the owner and/or short-term vacation rental agent by personal service, certified mail, or by statutory overnight delivery.
  - (7) This code shall not apply to prevent new property owners from submitting an application for a short-term vacation rental if the property is in compliance with all applicable ordinances and all code violations related to the property have been resolved.
  - (8) Nothing in this section shall be construed to limit any action by the county health department to seek the remediation of any dangerous condition at the short-term vacation rental or to take any action seeking to protect and preserve against any threat to public safety.
- (j) *Appeal rights.*
- (1) A person aggrieved by the chief building official's decision to revoke, suspend or deny a short-term vacation rental certificate may appeal the decision to the county manager.
  - (2) The appeal must be filed with the county manager's office in writing, within 10 days after receiving notice of the adverse action and it shall contain a concise statement of the reasons for the appeal. The county manager shall hold an administrative hearing in consideration of the appeal and issue a decision within 30 days of receipt of the appeal.
- (k) *Conflicts.* Any ordinances or resolutions as adopted by this board which are in conflict with the ordinance from which this ordinance is derived are hereby repealed and rendered ineffective.

## **SECTION 2.**

A. It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable, and constitutional.

B. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

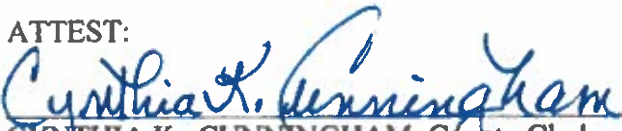
**SECTION 3. Repeal of Conflicting Provision.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4. Effective Date.** This ordinance shall become effective immediately upon its adoption by the Chairperson and Board of Commissioners of Baldwin County.

SO ORDAINED this 3 day of September, 2024.

  
JOHN H. WESTMORELAND, Chairman

ATTEST:

  
CYNTHIA K. CUNNINGHAM, County Clerk  
(Seal)

