

ORDINANCE 2024- 06

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF GARDEN CITY, GEORGIA, AS AMENDED, BY AMENDING CHAPTER 22 OF THE SAID CODE TO DEFINE AND REGULATE THE OPERATION OF SHORT-TERM RENTALS AND BED AND BREAKFAST ESTABLISHMENTS AS BUSINESSES THROUGH A LICENSING APPLICATION PROCESS ESTABLISHING REQUIREMENTS RELATING TO MANAGEMENT, MINIMUM BUILDING AND SAFETY STANDARDS, OCCUPANCY LIMITS, AND PARKING AND THROUGH AN ENFORCEMENT PROCESS ESTABLISHING PENALTIES FOR NON-COMPLIANCE AND AN APPEAL PROCESS FOR CONTESTING SAME; BY AMENDING ZONING CHAPTER 90, ARTICLES I & II, TO DEFINE AND ADD SHORT-TERM RENTALS AND BED AND BREAKFAST ESTABLISHMENTS TO THE PERMITTED USES LISTED IN CODE SECTION 90-47(b) WHICH USES SHALL BE PERMITTED IN "R-A" , "R-1 (B)", "R-2", "R-I-N", and "M" ZONING DISTRICTS IN GARDEN CITY, GEORGIA; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY The Mayor and Council of Garden City, Georgia, and it is hereby ordained by the authority thereof that:

Section 1: The Mayor and Council hereby find that it is necessary to regulate the operation of short-term rentals and bed and breakfast establishments in the City in order to ensure the availability of quality transient lodging within the City, to ensure the proper maintenance of such short-term rentals and bed and breakfast establishments, to minimize adverse effects of such uses on surrounding residential communities, to preserve the character of neighborhoods where such uses occur, and to ensure the health, safety and welfare of short-term rentals and bed and breakfast establishments.

Section 2: Chapter 22 of the Garden City Code, entitled "Businesses," is hereby amended by adding thereto the following Article XV to read as follows:

"ARTICLE XV.

SHORT-TERM RENTALS AND

BED AND BREAKFAST ESTABLISHMENTS

Sec. 22-601. Definitions.

"Bed and breakfast establishments" means a dwelling occupied by a family and used incidentally to provide overnight accommodation and meals to transient travelers, operated by an owner or designated operator-in residence, with a maximum number of rented units being six.

“Bedroom” means a room that meets the building code requirements to be used as a sleeping room and for no other primary purpose.

“Code *compliance verification form*” means a document executed by a short-term rental or bed and breakfast establishment owner certifying that the short-term rental or bed and breakfast establishment complies with applicable zoning, building, health, and life safety code provisions. No person shall allow occupancy or possession of any short-term rental or bed and breakfast establishment if the premises or owner thereof is in violation of any applicable zoning, building, health, and life safety code provisions.

“*Noise regulations*” means those regulations contained in Chapter 30, Article IV, Division III, of the Code of Ordinances of the City of Garden City, Georgia.

“*Owner*” means a person(s) or entity that holds legal and/or equitable title to private property.

“*Short-term rental*” means one or more dwelling units, including either a single-family home, duplex or single multifamily residential unit rented not more than 30 consecutive nights. For purposes of this definition, a short term rental shall include all housing types, but shall exclude bed and breakfast establishments.

Sec. 22-602. Applicability.

- (a) All requirements, regulations and standards imposed by this Article XV apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in the Garden City Code of Ordinances.
- (b) The restrictions and obligations contained in this Article shall apply to short-term rentals and bed and breakfast establishment at all times during which such units are marketed and used as short-term rentals and bed and breakfast establishments.
- (c) The allowance of short-term rentals and bed and breakfast establishments pursuant to this Article shall not prevent enforcement of additional restrictions that may be contained in restrictive covenants or other private contractual agreements or arrangements.
- (d) It shall be unlawful for any owner of any property within the City of Garden City, Georgia, to rent or operate a short-term rental of residential property or a bed and breakfast establishment contrary to the procedures and regulations established in this Article, other provisions of the Code of Ordinances of Garden City, Georgia, or any applicable state law.
- (e) This Article is not intended to regulate hotels, motels, or non-bed and breakfast establishments, including, but not limited to, boarding houses, lodging houses, or rooming houses, or an individual providing long-term rental (more than 30 days) of their home.

Sec. 22-603. Location Allowed/ Prohibited.

- (a) Short-term rentals and bed and breakfast establishments are permitted in R-A, R-1(B), R-2, R-I-N, and M zoning districts within the City.
- (b) Nothing contained in this shall be construed to prohibit motels, hotels, inns, and other commercial lodging uses from being located where otherwise specifically allowed.

Sec. 22-604. Short-Term Rental Permit Required.

No Person shall rent, lease, or otherwise exchange for compensation or advertise for such all or any portion of a dwelling, dwelling unit, building, or structure as a short-term rental without first obtaining a short-term rental permit pursuant to the regulations contained herein.

Sec. 22-605. Bed and Breakfast Establishment Permit Required.

No Person shall rent, lease, or otherwise exchange for compensation or advertise for all or any portion of a dwelling, dwelling unit, building, or structure as a bed and breakfast establishment without first obtaining a bed and breakfast permit pursuant to the regulations contained herein.

Sec. 22-606. Business License Requirements for Short Term Rentals and Bed and Breakfast Establishments.

A separate business license shall be required for each short-term rental or bed and breakfast establishment (except where an owner owns multiple short-term rentals or bed and breakfast establishments in a residential community or multiple residential communities and applies for one permit for a single business license for such short-term rental units or bed and breakfast establishments). The licensing requirements of this Section are in addition to any occupational business tax or hotel/motel tax registration or any other permit or licensing requirements. However, at the discretion of the Director of Planning and Economic Development, the processing of such license required under this Section may be combined with the processing of occupational tax certification or hotel/motel tax registration or any other related permit or license process administered by the City. The Director of Planning and Economic Development is authorized to prescribe forms and procedures for the processing of licenses under this Section.

- (1) *Application for Business License.* Applications for a short term rental or bed and breakfast establishment shall be filed with the Department of Planning and Economic Development prior to the use of the property as a short-term rental or bed and breakfast establishment. Applications shall be on the forms provided by the City. Only the owner of the short-term rental or bed and breakfast establishment may submit an application for the applicable permit. Additionally, all applications must contain, at a minimum, the following information:

- a. The name, address, telephone number, and email address of the owner of the short-term rental or bed and breakfast establishment for which the permit is being issued;

- b. The name, address, telephone number, and email address of the rental agent for the short-term rental or the agent of the bed and breakfast establishment;
- c. The number of bedrooms and approximate square footage in the short-term rental or bed and breakfast establishment, and the maximum number of overnight and daytime occupants;
- d. A labeled floor plan of the dwelling, dwelling unit, building or structure to be used as a short-term rental or bed and breakfast establishment;
- e. An executed Code Compliance Verification Form acknowledging that all designated bedrooms meet all local building and health and life safety code requirements;
- f. A diagram and/or photograph of the premises showing and indicating the number and location of designated on-site paved parking spaces and the maximum number of vehicles allowed for overnight occupants (landscaped areas of any kind not being counted as parking spaces);
- g. Evidence of a valid hotel/motel occupational tax registration certificate issued by the City. Applications for such registration may be filed concurrently with the application for a business permit;
- h. Evidence of a valid sales tax certification number issued by the Georgia Department of Revenue for collection and remittance of sales tax;
- i. Acknowledgement that the owner and the below-defined local contact persons have read all regulations pertaining to the operation of a short-term rental or bed and breakfast establishment;
- j. Certification of the accuracy of the information submitted, and agreement to comply with all conditions of the application;
- k. Acknowledgement that the owner, the manager of the bed and breakfast establishment, or local contact person for the short-term rental unit has or will post, at the short term rental or bed and breakfast establishment, the notice required in Code Section 22-609(7); and,
- l. An application for a permit shall be accompanied by a fee in the amount established in the City's fee schedule which is subject to change on an annual basis as determined by the City's Mayor and Council.

(2) Attached to and concurrent with the submission of the application described in this Code Section, the owner shall provide:

- a. A written example agreement which shall consist of the form of document to be executed between the owner and occupants of the short-term rental or bed and breakfast establishment and which shall contain the owner/ occupant agreements set forth in Code Section 22-609(1)&(2);
- b. Proof of the owner's current ownership of the short-term rental or bed and breakfast establishment;
- c. Proof of insurance indicating the premises is used as a short term rental or bed and breakfast establishment;
- d. In the case of a short-term rental, written certification from the local contact person that he or she agrees to perform the duties specified in Section 22-609(9);
- e. In the case of a bed and breakfast establishment, written certification from the local manager that he or she agrees to perform the duties specified in Section 22-609(10);
- f. A paid tax receipt for the most current year taxes paid for the property;
- g. If the property is not serviced by public sewer, a septic tank permit or other appropriate documentation from the Chatham County Health Office which denotes the number of bedrooms permitted for the property; and,
- h. A copy of the government issued photo identification card (i.e., driver's license or other legal identification card) for the owner or owner's agent.

(3) To ensure that all record owners of property adjacent to a proposed short-term rental or bed and breakfast establishment have sufficient contact information for same, each shall be notified of the use prior to the issuance of a business permit. Notification shall be issued by the applicant and proof of notification provided to the City. Notification to the property owner shall include:

- a. Street address of the proposed short-term rental or bed and breakfast establishment;
- b. Location of any on-site parking for occupants of the short-term rental and bed and breakfast establishment;

- c. Maximum occupancy requirements;
- d. Copy of the short-term rental exemplar rental agreement;
- e. Name of the property owner; and,
- f. Name of rental agent (as to the short-term rental) or manager (in the case of a bed and breakfast establishment), and contact information.

Sec.22-607. Grant or denial of application.

Review of an application shall be conducted within ten (10) days and shall be granted unless the applicant fails to meet the conditions and requirements of this Article XV, or otherwise fails to demonstrate the ability to comply with local, state, or federal law. Any false statements or information provided in the application are grounds for revocation, suspension, and/or imposition of penalties, including denial of future applications.

Sec.22-608. Maximum Occupancies.

(a) Short-term rentals.

- (1) The maximum overnight occupancy (between the hours of 10:00 p.m. and 8:00 a.m.) of any property to be used as a short term rental shall be limited to two persons per bedroom plus two additional persons;
- (2) The maximum daytime occupancy (between the hours of 8:00 a.m. and 10:00 p.m.) of any property to be used as a short-term rental shall be the maximum overnight occupancy times two. For example, if a five-bedroom house is rented, the maximum occupancy between 8:00 a.m. and 10:00 p.m. would be 12 short-term rental overnight occupants and 12 guests, for a total of 24 persons.
- (3) Only six bedrooms may be rented regardless of the total number of bedrooms, provided however, that ten bedrooms may be rented on properties of five or more acres, subject to the number of bedrooms noted by the Chatham County Health Office.

- (b) Bed and breakfast establishments. The maximum overnight occupancy of any property to be used as a bed and breakfast establishment shall be based on the number of bedrooms less one, with an overall maximum of six bedrooms, with no more than two persons per bedroom. For example, if a five-bedroom house is being used as a bed and breakfast establishment, the occupancy would be calculated by not counting one bedroom (caretaker's room) and then multiplying the number of remaining bedrooms, four bedrooms, by two, with a maximum of eight overnight occupants.

- (c) The maximum occupancies set forth in this Section shall be based on the number of bedrooms set forth in the documentation from the Chatham County Health Office which denotes the number of bedrooms permitted as referenced in Section 22-606(2)(g).

Sec. 22-609. License conditions.

All business licenses issued pursuant to this Article XV are subject to the following standard conditions:

- (1) The owner shall, by written agreement with the occupants, limit overnight occupancy of the short-term rental or bed and breakfast establishment to the specific number of occupants designated in the business license application. Every bedroom shall have an emergency escape or rescue exit and a minimum ceiling height as follows:
 - a. Each bedroom shall have at least one operable window or door for emergency escape or rescue that opens directly to the exterior of the unit. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor;
 - b. Bedrooms shall have a ceiling height of not less than eight feet, except as provided in this Code Section. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half of the area thereof;
 - c. An interconnected and hard-wired smoke detection and notification system is required and must be operable and in good working order at all times; and,
 - d. Security cameras must be installed to provide video coverage and recording of the driveway and all entry points.
- (2) The owner shall, by written agreement with the occupants, limit the number of vehicles of overnight occupants to the number designated in the business license application, with the number of vehicles of overnight occupants not to exceed the number of on-site parking spaces of the short-term rental property or the bed and breakfast establishment.

- (3) The owner shall use best efforts to ensure that the occupants and/or guests of the short-term rental or bed and breakfast establishment do not violate noise regulations by notifying the occupants of the rules regarding short-term rental or bed and breakfast establishments, as the case may be, and responding when notified that occupants are violating laws regarding their occupancy. It is not intended that the owner or local contact person act as a peace officer or place himself or herself in harm's way.
- (4) The owner of the short-term rental or bed and breakfast establishment shall post a copy of the business license in a conspicuous place within the short-term rental or bed and breakfast establishment.
- (5) No business licenses issued under Article XV shall be transferred or assigned or used by any person other than the owner to whom it is issued, or at any location other than the one for which it is issued.
- (6) All business licenses issued under Article XV shall be valid for no more than one year, beginning on the date of issuance and expiring on December 31st of that year. Each application for renewal of a permit shall be submitted prior to January 1 in each year on forms prescribed by the City Manager.
- (7) *Sign and notification requirements.* Each short-term rental and bed and breakfast establishment shall have a clearly visible and legible notice conspicuously posted near the main entry door of the dwelling, dwelling unit, building or structure used as a short-term rental or bed and breakfast establishment, containing the following information:
 - a. The name of the local contact person (as to short-term rental) or manager (as to bed and breakfast establishment) of unit, and a telephone number at which that party may be reached on a 24-hour basis;
 - b. The maximum number of overnight occupants permitted to stay in the short-term rental or bed and breakfast establishment;
 - c. The maximum number of vehicles allowed to be parked on the property, including a sketch of the location of the on-site parking spaces;
 - d. The maximum number of daytime visitors allowed in addition to the overnight occupants;
 - e. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property unless it is placed in a

curbside container, and that the curbside container shall not be placed for pick-up sooner than 24 hours prior to the pickup day, and must be removed no later than 24 hours after pickup (if owner provides daily trash removal, then this notice is not necessary);

- f. Notification that an occupant may be cited and fined for creating a disturbance or for violating Article XV or other provisions of the Code of Ordinances;
- g. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this Article XV;
- h. A statement advising the occupants that any failure to conform to the noise regulation is a violation of Article XV;
- i. An emergency exit route map with the 9-1-1 emergency number clearly denoted; and,
- j. The short-term rental permit or bed and breakfast establishment permit.

(8) *Parking.* Short-term rentals and bed and breakfast establishments shall comply with all applicable ordinances regarding parking. The owner of the short-term rental or bed and breakfast establishment shall provide sufficient parking for guests such that all parking is accomplished on paved parking spaces within the property site. No parking to accommodate renters or invitees of the short-term rental or bed and breakfast establishment is permitted on the city right-of-way or along any roadways at any time. No motor homes, campers or the like shall be parked or hooked up to utilities at any short-term rental or bed and breakfast establishment.

(9) *Local contact person for Short-Term Rentals.*

- a. Each owner of a short-term rental shall designate a local contact person who has access and authority to assume management of the rental and take remedial measures. An owner of a short-term rental who resides in the city limits of Garden City or within 50 miles of the short-term rental may designate himself or herself as the local contact person. The local contact person shall be required to respond to the location of the short-term rental within one hour after being notified by the police or code enforcement of the existence of a violation of Article XV or any other provisions of this Code, or any disturbance requiring immediate remedial measures or abatement.

- b. The owner must immediately notify the Director of Planning and Economic Development in writing upon a change of local contact person or the local contact person's telephone number. This notification will be on forms prescribed by the Director of Planning and Economic Development. The new revised business license will not extend the expiration date of the business license, and will be issued for a fee of \$25.00, and must be posted within ten days of any change of local contact person information.

(10) *Local manager for Bed and Breakfast Establishments.*

- (a) The owner of a bed and breakfast establishment shall designate a manager on its application for a bed and breakfast establishment permit who has access and authority to assume management of the bed and breakfast establishment and take remedial measures while the bed and breakfast establishment is being occupied by guests.
- (b) An owner may designate himself or herself as the bed and breakfast manager, or may designate any other natural person over the age of 18. The owner of the bed and breakfast establishment is responsible for compliance with the provisions of this Article, and the failure of an agent to comply with this Section shall be deemed noncompliance by the owner.
- (c) An owner may change his or her designation of a bed and breakfast manager temporarily or permanently; however, there shall only be one such manager for a property at any given time. To change the designated agent, the owner shall notify the Director of Planning and Economic Development in writing of the new manager's identity, together with all information regarding such person as required by this Article.
- (d) Any change in designation of the bed and breakfast manager will not take effect until notice has been provided to the City.
- (e) The bed and breakfast manager shall:
 - (1) Reside on the property of the bed and breakfast establishment and be at least 18 years of age or older.
 - (2) Respond to the property twenty-four (24) hours a day, seven days a week, and within one hour following notification from a duly authorized representative of the City of the existence of a violation of this Article or any other provision of this Code, or any disturbance or complaint requiring immediate remedy or abatement regarding the condition, operation, or conduct of occupants of the short-term rental. This includes, but is not limited to, notification that occupants

of the bed and breakfast establishment have created unreasonable noise or disturbances, engaged in disorderly conduct, or have committed violations of the City Code, or other applicable local, state, or federal law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol, or use of illegal drugs. This is not intended to impose a duty on the bed and breakfast manager to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation.

- (3) Receive and accept service of any notice of violation related to the use or occupancy of the property.
- (4) Monitor the bed and breakfast establishment for compliance with this Article.
- (11) *Hotel/motel tax.* All short-term rentals and bed and breakfast establishments shall be subject to Section 76-74 et seq., of the Garden City Code of Ordinances.
- (12) *Other Requirements.* All short-term rentals and bed and breakfast establishments shall comply with the following:
 - a. Any advertising of the short-term rental or bed and breakfast establishment shall conform to information included in the business permit and the requirements of this Article XV, and shall include notification of the maximum occupancy, maximum number of vehicles allowed, and provisions regulating noise.
 - b. Compliance with the standards in this Article XV shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace, and safety.
 - c. In addition to any requirements of this Article XV, any structure being operated as a short-term rental or bed and breakfast establishment with a capacity for more than ten overnight guests at a time shall be required to meet all local, state and federal access and life safety codes, rules and regulations that are otherwise applicable to hotels as defined in such codes, rules and regulations. In the event there is a conflict between the requirements of this Article XV and such other codes, rules or regulations, the requirements that are more protective of the public health, safety and welfare shall prevail.

Sec. 22-607. Violation and penalties.

- (a) Violations shall be managed on each individual short-term rental or bed and breakfast establishment, and any resulting penalties shall only be assessed against such short-term rental or bed and breakfast establishment. The following conduct shall constitute a violation for which the penalties specified in this Section may be imposed, or the business license suspended or revoked:

- (1) The owner has violated any of the provisions of this Article XV; or
 - (2) The owner has failed to collect and remit to the City the hotel/motel occupancy tax as required.

- (b) The penalties for violations of this Article XV shall be as follows:

- (1) For the first violation within any 12-month period, the penalty shall be a warning notice of violation;
 - (2) For the second violation within any 12-month period, the penalty shall be a fine not to exceed \$500.00;
 - (3) For the third violation within any 12-month period, the penalty shall be a fine not to exceed \$1,000.00 and/or suspension of the business license (or suspension of the violating short-term rental or bed and breakfast establishment from the applicable business license) for a period not to exceed six months; if the period of suspension runs beyond December 31st, the owner shall not be eligible to apply for renewal of the business license (or reinstatement of the violating short-term rental or bed and breakfast establishment under the business license) until expiration of the full suspension period; and,
 - (4) For a fourth violation within any 12-month period, the business license may be revoked (or removal of the violating short-term rental or bed and breakfast establishment from the applicable business license) in accordance with the provisions below. An owner shall not be eligible to reapply for a business license (or reinstatement of the violating short-term rental or bed and breakfast establishment under the business license) for a period of 12 months from the date of revocation.

- (c) A short-term rental or bed and breakfast establishment that is determined to be operating without the necessary business license required under this Article shall subject the owner to a penalty of \$1,000.00. Each day the unit is marketed or rented for overnight accommodation shall constitute a separate violation.

(d) *Procedure for imposition of penalties/suspension/revocation.* Penalties, including a notice of violation, shall be imposed and the business license shall be revoked (or suspension or removal of a short-term rental or bed and breakfast establishment from the applicable business license), only in the manner provided in this subsection.

(1) Initial violations shall result in a notice of violation being directed to the owner and the person designated in the short-term rental or bed and breakfast establishment application as the local contact person if other than the owner. The local contact person shall be responsible for contacting the occupant to correct the problem within sixty (60) minutes. This local contact person is required to visit the property to confirm compliance with this Article, unless compliance can reasonably be confirmed without visiting the property.

(2) If non-compliance with provisions of this Article reoccur, the Director of Planning and Economic Development or his/her designee shall conduct an investigation wherever there is reason to believe that an owner has failed to comply with the provisions of this Article. The investigation may include an inspection of the premises, review of law enforcement/security reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings and video, all of which may constitute evidence of violation. Should the investigation support a finding that a violation occurred, the Director of Planning and Economic Development or his/her designee shall issue a written notice of the violation and intention to impose a penalty and/or suspend or revoke the business license (or suspend or remove the short-term rental or bed and breakfast establishment from the applicable business license). The written notice may be served either by first-class mail, by commercial overnight delivery, by personal service on the owner, or by any other reasonable means of delivery, including email, and shall specify the facts which, in the opinion of the Director of Planning and Economic Development, constitute grounds for imposition of the penalties and/or suspension or revocation, and specify that the penalties will be imposed and/or that the business license will be suspended or revoked (or suspension or removal of the short-term rental or bed and breakfast establishment from the applicable business license) 15 calendar days from the date of the notice unless the owner files with the Director of Planning and Economic Development a request for an appeal hearing before the City Manager. In considering such appeal, the City Manager shall determine whether the Director of Planning and Economic Development has erred in his/her interpretation and/or enforcement of this Article. All interested parties shall have the right to be represented by counsel before the City Manager, to present testimony and evidence, and to cross examine

witnesses. The City Manager shall render a determination which shall constitute a final ruling on the application.

(3) Except as otherwise provided in this Article, violations of this Article will be enforced in accordance with the Garden City Code.

(e) *Business License and fees not exclusive.* The business license and fees required by this Article shall be in addition to any license, permit or fee required under any other provision of this Code, or other local or state law including, but not limited to, the City's Hotel Motel Occupancy Tax under Chapter 74, Article IV, Sections 74-76 et seq. of the City Code. The issuance of any business license pursuant to this Article shall not relieve the owner of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of the short-term rental or bed and breakfast establishment or the property on which it is located.

(f) *Penalty.* In addition to the penalties described above, any person violating the provisions of this Article XV by operating a short-term rental or bed and breakfast establishment without a valid business license may be prosecuted according to the general penalties set forth in the City Code.

(g) *Enforcement.* The Director of Planning and Economic Development and his/her designee are hereby authorized and directed to establish such procedures as may from time to time be required to carry out the purpose and intent of this Article. Garden City Code Enforcement Officers, as well as the Garden City Police Department shall also have authority to enforce this Article XV.

(h) *Violations by occupants of Short-Term Rentals and Bed and Breakfast Establishments.* Enforcement actions may be brought against occupants of a short-term rental or bed and breakfast establishment for violations of this Article XV and any other provision of this Code notwithstanding that this Article may also make the owner of the short-term rental or bed and breakfast establishment responsible for the conduct constituting the violation. “

Section 3. Chapter 90, Article I, Section 90-5(b), of the Code of Ordinances of Garden City, Georgia, as amended, entitled “Definitions and Rules of Construction” is amended by adding the following definition of “Short-Term Rental”:

“Short-Term Rental means one or more dwelling units, including either a single-family home, duplex, or single multi-family residential unit rented not more than 30 consecutive nights.”

Section 4. Chapter 90, Article II, Section 90-47(b), of the Code of Ordinances of Garden City, Georgia, as amended, entitled “Zoning; Permitted Uses” is amended by adding the following as Paragraph _____ of uses listed therein:

"Para. _____. Short Term Rentals: R-A, R-1 (B), R-2, R-I-N, and M (subject to compliance with the provisions of Chapter 22, Article XV, Sections 22-601 et seq.)."

Section 5. Chapter 90, Article I, Section 90-5(b) of the Code of Ordinances of Garden City, Georgia, as amended, entitled "Definitions and Rules of Construction" is amended by adding the following definition of "Bed and Breakfast Establishments".

"Bed and Breakfast establishments" means a dwelling occupied by a family and used incidentally to provide overnight accommodation and meals to transient travelers, operated by an owner or designated operator-in residence, with a maximum number of rented units being six.

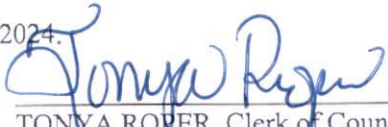
Section 6. Chapter 90, Article II, Section 90-47(b), of the Code of Ordinances of Garden City, Georgia, as amended, entitled "Zoning; Permitted Uses" is amended by adding the following as Paragraph _____ of uses listed therein:


Para. _____ Bed and Breakfast Establishments: R-A, R-1(B), R-2, R-I-N, and M (subject to compliance with the provisions of Chapter 22, Article XV, Sections 22-601 et seq.)."

Section 7. This ordinance shall be effective as of January 1, 2025.

Section 8. All ordinances of parts of ordinances in conflict herewith are hereby repealed.

Section 9. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

ADOPTED, this 19th day of August, 2024.

TONYA ROVER, Clerk of Council

RECEIVED AND APPROVED THIS 19th day of August, 2024.

BRUCE CAMPBELL
Mayor

Read first time: 8-19-24
Read second time and passed: 8-19-24