

ORDINANCE 2020-05

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATION, CHAPTER 1, BUSINESS LICENSES, ARTICLE A, GENERAL PROVISIONS, SECTION 7-1-15, SUSPENSION AND NOTICE OF PROPOSED REVOCATION OF LICENSE, AND OF RESIDENTIAL HOUSING UNITS-LESS THAN NINETY (90) DAYS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO ADD CONDITIONS FOR THE SUSPENSION OF A RENTAL BUSINESS LICENSE, REQUIRE AN OWNER'S REPRESENTATIVE TO BE ABLE TO BE PHYSICALLY ON SITE WITHIN ONE HOUR OF RECEIVING A COMPLAINT, AND CONDITIONS FOR THE ADVERTISEMENT OF RENTALS.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED.

SECTION 1. That Section 7-1-15 is hereby amended in its entirety as follows:

Sec. 7-1-15 – Notice of proposed suspension or revocation of license.

When the License Inspector determines that:

- a. A license has been mistakenly or improperly issued or issued contrary to law;
- b. A licensee has breached any condition upon which the license was issued or has failed to comply with the provision of this chapter;
- c. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application;
- d. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- e. A licensee has engaged in or allowed an unlawful activity or nuisance relating to the business; or the licensee has demonstrated an inability or unwillingness to prevent the licensee's tenants from engaging in lawful activities or creating nuisances related to the business;
- f. A licensee has had five or more complaints of unlawful activity within a single calendar year that are determined to be founded by the Police Department;

The License Inspector shall give written notice to the licensee or the person in control of the business within the City by personal service or certified mail that a hearing before Council for the purpose of determining whether the license should be suspended and/or revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Council meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for proposed suspension or revocation and a copy of the applicable provisions of this chapter.

SECTION 2. That Section 7-1-22 SIC 6513; NAICS 5311 is hereby amended by adding provisions to state as follows:

“Sec. 7-1-22.- Classification and rates.

SIC 6513; NAICS 5311—Lessors of Residential Housing Units—Less than Ninety (90) Days (Non-resident rates do not apply):

Minimum on first \$2,000: \$350.00 PLUS

Per \$1,000, or fraction over \$2,000: \$4.60

The application shall require written acknowledgement by the licensee that a violation of this Code, either by the licensee, the licensee’s property manager, or the licensee’s rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current twenty-four (24) hour per day telephone numbers at which the City may contact the licensee, licensee’s agent and, if applicable, the licensee’s property manager. The point of contact provided must be able to be physically on site within one hour of receiving a phone call and must have the authority over the property to be able to remove tenants and address unlawful activity.

Notwithstanding any other provision of this chapter, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty.”

SECTION 3. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.


SECTION 5. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2020.


Jimmy Carroll, Mayor

(Seal)

Attest:


Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____



Second Reading: _____

Ratification: _____