
Section 9.4 Specific Use Requirements.

O. SHORT-TERM RENTAL.

1. General requirements for SHORT-TERM RENTAL UNITS.

- a. **Permit required.** Effective January 1, 2021, an annual SHORT-TERM RENTAL permit shall be required for all residential dwellings which are rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT within the town, including those which were previously rented prior to January 1, 2021. A separate permit shall be required for each SHORT-TERM RENTAL UNIT. A SHORT-TERM RENTAL permit shall remain valid only during the license year during which it was issued, unless the permit is modified, suspended, revoked, cancelled, or abandoned, pursuant to the procedures set forth in this section.
- b. **Dwelling types.** A SHORT-TERM RENTAL permit may only be issued for a conforming or legally NONCONFORMING residential dwelling. Accessory structures, including, but not limited to, ACCESSORY DWELLING units, pool houses and finished rooms over a GARAGE, shall not be permitted as a standalone SHORT-TERM RENTAL UNIT, but may be included under a SHORT-TERM RENTAL permit issued for the principal dwelling. No vehicle, boat, RECREATIONAL VEHICLE, storage unit or non-residential structure may be permitted or occupied as a SHORT-TERM RENTAL UNIT.
- c. **Rental types.** A dwelling which is permitted to operate as a SHORT-TERM RENTAL UNIT may only be advertised and rented as an entire unit. A permit holder may not advertise or rent a portion of a dwelling, such as an individual bed or bedroom. Nothing herein is intended to prohibit or limit a property owner's ability to lock or otherwise restrict guest access to individual rooms, closets, or accessory structures.
- d. **Designated agent.** Subject to the provisions of Section 9.4.O.4.c., a property owner may designate an agent, including, but not limited to, a professional property manager or property management company, who shall be authorized to comply with the conditions and requirements of this section and who may send and receive written communication on behalf of the property owner.
- e. **Local contact.** If the property owner or designated agent does not reside within 50 miles of the rental property, the property owner or designated agent shall identify an individual or individuals who shall serve as a local contact. The local contact must reside within 50 miles of the rental property and, within two (2) hours of receiving notification, be accessible and available to respond to any emergency situation, alleged violation, inquiry or inspection request from the town or any other entity having jurisdiction over the rental property. Changes to the local contact shall be communicated in writing to the ZONING ADMINISTRATOR within three (3) business days.
- f. **Business license required.** The property owner and designated agent, if applicable, shall possess a valid town business license for the operation of a SHORT-TERM RENTAL UNIT, as required by Article 8 of the Town Code.
- g. **South Carolina Retail License.** If the SHORT-TERM RENTAL UNIT will be rented for more than one (1) week in any calendar quarter, the property owner or designated agent shall annually furnish evidence of a valid South Carolina Retail License with the required SHORT-TERM RENTAL permit application.
- h. **Payment of state and local taxes.** If the SHORT-TERM RENTAL UNIT is rented for more than 15 days during any calendar year, the property owner or designated agent shall annually furnish

evidence of the payment of all required state and local taxes specified below with the required SHORT-TERM RENTAL permit application:

- i. State and local sales taxes (eight (8) percent);
- ii. State accommodations tax (two (2) percent);
- iii. Charleston County accommodations tax (two (2) percent); and
- iv. Any other tax which may be imposed after the effective date of this section.

i. **Maximum occupancy.**

i. **Occupancy limit.** All SHORT-TERM RENTAL UNITS shall be subject to a maximum occupancy limit during the overnight hours. The maximum occupancy for any SHORT-TERM RENTAL UNIT shall be as follows:

- (a) For SHORT-TERM RENTAL UNITS with less than 2,500 square feet of total finished living area, the maximum occupancy of the unit shall be limited to two (2) occupants per code-compliant bedroom, plus two (2) additional occupants for the entire unit.
- (b) For SHORT-TERM RENTAL UNITS with 2,500 square feet of total finished living area or more, the maximum occupancy of the unit shall be limited to two (2) occupants per code-compliant bedroom, plus four (4) additional occupants for the entire unit.
- (c) Children under the age of two (2) shall not be counted toward the maximum occupancy limit.
- (d) The maximum occupancy limit specified herein shall apply to the unit as a whole and is not intended to limit the number of individuals within any specific bedroom or other living area.
- (e) The maximum occupancy limit specified herein shall not apply in instances when the SHORT-TERM RENTAL UNIT is occupied exclusively by:
 - (i) The owner(s) of record;
 - (ii) The owner(s) of record and their non-paying guests; or
 - (iii) Non-paying guests who are related by blood, adoption, or marriage to the owner(s) of record.

ii. **Determination of maximum occupancy.** To determine the maximum occupancy of a SHORT-TERM RENTAL UNIT, the ZONING ADMINISTRATOR shall use the total number of bedrooms and the total finished living area for that unit, as shown in the current Charleston County tax records.

iii. **Administrative appeals.** Property owners or designated agents who believe that the total number of code-compliant bedrooms and/or total finished living area shown in the current Charleston County tax records is incorrect may submit an administrative appeal, as follows.

iv. **Appeal of number of bedrooms.** Property owners or designated agents who wish to appeal the total number of code compliant bedrooms within a SHORT-TERM RENTAL UNIT shall contact the Charleston County Building Inspections Department to verify the accuracy of the information shown on the current tax records. If the Charleston County Building Inspections Department determines that the actual number of bedrooms is different than the number shown on the current tax records, the property owner or designated agent

shall provide written confirmation of the county's findings to the ZONING ADMINISTRATOR. Upon receipt, the ZONING ADMINISTRATOR shall use the revised bedroom count from the Charleston County Building Inspections Department to determine the unit's maximum occupancy.

- v. **Appeal of total finished living area.** Property owners or designated agents who wish to appeal the total finished living area of a SHORT-TERM RENTAL UNIT shall submit an appraisal report completed by a licensed South Carolina appraiser no more than five (5) years prior to the date upon which the appeal is submitted. Upon receipt, the ZONING ADMINISTRATOR shall use the total finished living area from the appraisal report to determine the unit's maximum occupancy.

- j. **Parking requirements.**

- i. **Off-street parking required.** A dwelling which is permitted to operate as a SHORT-TERM RENTAL UNIT shall have a minimum of one (1) off-street parking space. The required off-street parking may be provided on the same property as the rental unit or, if the unit is located within a multi-family development with a common parking area, within that development's common parking area.

- ii. **General requirements for off-street parking.** The following general requirements shall apply to the parking of vehicles in all areas of the town, with the exception of recorded street rights-of-way (public or private):

- (a) Renters and their guests shall park only within designated parking space(s);
- (b) Vehicles shall not be parked on or within any yard, landscaped area, fire lane, loading area, median, pathway, or sidewalk, or within any common OPEN SPACE which is used for a purpose other than vehicle parking;
- (c) Vehicles shall not be parked within 15 feet of a fire hydrant;
- (d) Vehicles shall not be parked in any area which has been designated as a "no parking" area;
- (e) Within shared driveways and PARKING LOTs, vehicles shall not be parked in any aisle or driving lane;
- (f) Parking in handicapped spaces shall be permitted only with a valid government-issued parking permit; and
- (g) Parked vehicles shall not impair access by emergency vehicles, unreasonably impede the flow of vehicular or pedestrian traffic, or restrict ingress to or egress from neighboring properties.

- iii. **Commercial vehicles, oversized vehicles, and equipment.**

- (a) The following types of vehicles shall be prohibited on the premises of a SHORT-TERM RENTAL UNIT while the unit is being occupied by renters and their guests:
 - (i) Commercial vehicles larger than a passenger vehicle, pickup truck, or van;
 - (ii) Vehicles with more than two (2) axles;
 - (iii) Trailers; and
 - (iv) Heavy machinery and equipment.

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- (b) The restrictions contained herein shall not apply to any vehicle, trailer, or heavy machinery and equipment which is actively engaged in providing goods or services to the property or to the occupants thereof, such as delivery trucks, moving trucks, landscapers, housekeepers, and other contractors.
 - iv. **On-street parking.** In addition to the off-street parking requirements specified herein, parking on or within a recorded street right-of-way (hereafter "on-street parking") shall be allowed for short-term renters and their guests, subject to the following limitations:
 - (a) On-street parking shall be prohibited on or within any public street right-of-way;
 - (b) Vehicles parked on or within a street right-of-way shall not impair access by emergency vehicles, unreasonably impede the flow of vehicular or pedestrian traffic, or restrict ingress to or egress from neighboring properties; and
 - (c) The owner of any private street within the town may impose stricter parking requirements than those specified herein including, without limitation, restricting or prohibiting on-street parking, on or within any street right-of-way under its ownership.
 - k. **Advertising requirements.** When placing an advertisement for a SHORT-TERM RENTAL UNIT on any rental platform (such as Airbnb, VRBO, Trip Advisor, etc.) or within any print or online publication (such as classified ads, Craigslist, Facebook Marketplace, etc.), the property owner or designated agent shall clearly list the unit's current town business license number and maximum occupancy within the advertisement.
 - l. **Posting requirements.** The property owner or designated agent shall post, at a minimum, the current business license number, maximum occupancy, fire extinguisher location and the name and phone number of a 24-hour emergency contact in a conspicuous location on, or adjacent to, the inside of the door serving as the primary point of ingress and egress to and from the SHORT-TERM RENTAL UNIT.
 - m. **Information packets required.** The property owner or designated agent shall provide or make available an information packet to all short-term renters. The information packet may be provided prior to, or during, the check-in process (either in printed or electronic format) or may be maintained within the rental unit at all times. The information packet shall contain, at a minimum:
 - i. The name and phone number of the unit's 24-hour emergency contact;
 - ii. A current copy of the "SHORT-TERM RENTAL Rules" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;
 - iii. A current copy of the "Community Rules" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;
 - iv. A current copy of the "Emergency Contacts List" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;
 - v. A current copy of "Emergency Resources" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;
 - vi. Notice of any temporary restrictions or requirements currently in place resulting from a declared state of emergency, the issuance of any executive order, or the adoption of any emergency ordinance; and

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- vii. Such other information as may be deemed necessary and proper by the ZONING ADMINISTRATOR to protect the health, welfare, and safety of renters, their guests, and the public.
 - n. **Signage.** No signage which advertises or identifies a dwelling as a SHORT-TERM RENTAL UNIT shall be allowed on the premises of any dwelling that is permitted as a SHORT-TERM RENTAL UNIT; provided, however, this requirement shall not apply to letters or numbers which are used for addressing purposes, or for unit identification in a multi-family building.
 - o. **Unlicensed work.** If a property owner has obtained an exemption from the Charleston County Building Services Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work on a dwelling which would otherwise be required to be completed by a licensed residential builder or specialty contractor, that dwelling may not be operated as a SHORT-TERM RENTAL UNIT for a period of two (2) years after completion of the work.
 - p. **Other uses.** No property owner, designated agent, renter, or their guest shall conduct, or allow to be conducted, any commercial activities within, or on the premises of, a SHORT-TERM RENTAL UNIT while the unit is being occupied as a SHORT-TERM RENTAL. Notwithstanding the foregoing, the following activities shall be expressly permitted:
 - i. Commercial activities undertaken by a renter or their guest which are clearly incidental to the residential use of a dwelling and which do not affect the residential character of the residence, including, for example, professional services which are provided remotely, remote processing of payments or other business transactions, engaging in remote meetings or electronic communications, and similar activities; and
 - ii. Outside vendors and contractors who are providing goods or services to renters and their guests, or who are providing goods or services necessary for the continued operation and maintenance of the SHORT-TERM RENTAL UNIT.
 - q. **Inspections.** Subject to the notice requirements contained herein, all SHORT-TERM RENTAL UNITS shall be subject to inspection by the town to verify compliance with the requirements of this section:
 - i. **Routine Inspections.** In instances when an inspector must access the interior of a SHORT-TERM RENTAL UNIT for the purpose of conducting a routine inspection to verify compliance with the requirements of this section, he or she shall provide a minimum of 24 hours' notice to the property owner, designated agent, or local contact, as applicable, and the notified party shall provide access to the unit at the appointed time. Except for emergency inspections and inspections undertaken prior to the issuance of a new SHORT-TERM RENTAL permit, routine inspections shall be avoided between Memorial Day and Labor Day when possible. All routine inspections shall be conducted between the hours of 9:00 a.m. and 5:00 p.m.
 - ii. **Emergency inspections.** In instances when an inspector determines that a condition may exist within a SHORT-TERM RENTAL UNIT which substantially endangers public health or safety, he or she shall provide a minimum of two (2) hours' notice to the property owner, designated agent or local contact, as applicable, and the notified party shall provide access to the unit at the appointed time to verify that such a condition exists and, if possible, to abate that condition. If the inspector determines that the condition was caused by a violation of any provision of this section, he or she may initiate enforcement action pursuant to paragraph 4 (violations).
 - iii. **Exceptions to notice requirements.** In instances when either a notified party or the occupant of a SHORT-TERM RENTAL UNIT waive the applicable notice requirements

contained in paragraph q.(i) or (ii), an inspector may enter the unit immediately upon authorization, or as soon as practicable thereafter.

- iv. The ZONING ADMINISTRATOR shall have the authority to request copies of all licenses, permits, receipts, reports, or similar information which may be necessary and proper to ensure compliance with the requirements of this section. Upon request, the property owner or designated agent shall furnish all requested documentation to the ZONING ADMINISTRATOR within three (3) business days.

2. **Safety requirements for SHORT-TERM RENTAL UNITS.**

- a. **Smoke alarms.** SHORT-TERM RENTAL UNITS shall be equipped with a working smoke alarm inside each bedroom and outside of each sleeping area. At least one (1) smoke alarm shall be installed on each level of the unit.
- b. **Fire extinguishers.** SHORT-TERM RENTAL UNITS shall be equipped with at least one (1) fire extinguisher with a minimum rating of 1A:10B:C. The required fire extinguisher shall be located under the kitchen sink or in another location which is easily accessible to renters and their guests.
- c. **Carbon monoxide detectors.**
 - i. At least one (1) carbon monoxide detector shall be required on each level of the SHORT-TERM RENTAL UNIT if the unit is equipped with any one (1) or more of the following:
 - (a) Any type of heater or appliance which burns fossil fuels;
 - (b) Any type of generator which burns fossil fuels;
 - (c) Any type of fireplace or stove which burns wood or fossil fuels;
 - (d) An enclosed GARAGE which is attached to the SHORT-TERM RENTAL UNIT.
 - ii. For purposes of this section, the term "fossil fuels" shall include any energy source formed in the Earth's crust from decayed organic material, including petroleum, coal, and natural gas. The term shall also include products which are derived from the refinement or fractionation of fossil fuels, including, without limitation, propane, butane, ethane, gasoline, and diesel.
- d. **Sprinkler system.** If the SHORT-TERM RENTAL UNIT has a fire sprinkler system, the system shall be maintained in good working order. The property owner or designated agent shall be responsible for having a qualified professional inspect the sprinkler system no less than once every 12 months. Upon request, the property owner or designated agent shall furnish documentation of this inspection to the ZONING ADMINISTRATOR within three (3) business days.
- e. **General maintenance.** The property owner or designated agent shall be responsible for ensuring that all structural elements (including the interior and exterior of the dwelling, associated DECKS, stairs, handrails, guardrails, boardwalks, docks, and accessory structures), as well as all mechanical, electrical, and plumbing systems, are maintained in good working order. Safe means of ingress and egress to and from the unit shall be maintained at all times, and areas of the property which are under the owner's control shall remain clear of litter and debris.

3. **Permitting requirements.**

- a. **Annual permit required.**
 - i. **Permit Required.** A property owner or designated agent who wishes to operate a SHORT-TERM RENTAL UNIT within the town shall apply for and obtain an annual SHORT-TERM RENTAL permit. Each yearly permit shall be issued for the 12-month period of May 1 to April 30.

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- ii. **Application.** SHORT-TERM RENTAL permit applications shall be submitted on a form made available by the ZONING ADMINISTRATOR for that purpose. The application shall be accompanied by a non-refundable application fee, as provided in Section 18.3, and any required supplemental materials. Only completed applications will be accepted. A separate application and fee shall be required for each SHORT-TERM RENTAL UNIT.
 - iii. **Due date.**
 - (a) **New permits.** Applications for a new SHORT-TERM RENTAL permit may be submitted at any time during the license year; provided, however, the unit may not be rented, or advertised for rent, until a permit has been issued for the respective license year.
 - (b) **Permit renewals.** Applications to renew a SHORT-TERM RENTAL permit must be submitted annually no later than April 30. A SHORT-TERM RENTAL UNIT which was duly permitted and in good standing as of April 30 of the preceding license year may continue to operate beyond May 1 of the subsequent license year as long as a completed renewal application for that unit was received by the town on or before April 30.
 - iv. **Criteria for approval.** The ZONING ADMINISTRATOR shall approve the issuance of a SHORT-TERM RENTAL permit only if he or she finds that the dwelling meets all of the conditions and requirements of this section and any other applicable provision of the Town Code. Prior to acting on an application, the ZONING ADMINISTRATOR, or his or her designee, may inspect the property for compliance with the provisions of this section. The ZONING ADMINISTRATOR may also require the applicants to provide documentation or certify, under penalty of perjury, that the property satisfies any one (1) or more of the conditions contained herein.
 - v. **Action on application.** The ZONING ADMINISTRATOR shall render a decision on each permit application within 30 calendar days following receipt. If the ZONING ADMINISTRATOR requests additional information from the applicant in order to complete his or her review, the review period shall be tolled until the requested information is supplied by the applicant. Failure to provide the requested information 10 business days shall be deemed a withdrawal of the permit application.
 - vi. **Notification.** The ZONING ADMINISTRATOR's decision shall be communicated in writing to the property owner or designated agent. For purposes of this section, the issuance of a SHORT-TERM RENTAL permit shall constitute notice of approval.
 - vii. **Expiration.** Upon issuance, an annual SHORT-TERM RENTAL permit shall remain valid for the remainder of the license year during which it was issued, unless the permit is subsequently modified, suspended, revoked, cancelled, or abandoned, pursuant to the procedures set forth in this section. A SHORT-TERM RENTAL UNIT which was duly permitted as of April 30 of the preceding license year may continue to operate while a permit application is pending review if the permit application for the subsequent license year was received on or before the deadline specified herein.
- b. **Modification of existing SHORT-TERM RENTAL permits.**
- i. **Application.** A property owner or designated agent who wishes to modify an existing SHORT-TERM RENTAL permit which is in good standing shall first apply for a permit modification. The application shall be made on a form made available by the ZONING ADMINISTRATOR for that purpose. The application shall be accompanied by a non-refundable application fee, as provided in Section 18.3, and any required supplemental

materials. Only completed applications will be accepted. A separate application and fee shall be required for each permit which is proposed to be modified. An existing SHORT-TERM RENTAL permit may be modified for any one (1) or more of the following reasons:

- (a) Transfer of property ownership to one (1) or more individuals who are related by blood, adoption, or marriage to the current owner of record;
 - (b) Transfer of property ownership to a trust, partnership, corporation, or similar entity in which the current owner of record retains an ownership stake of at least 50 percent;
 - (c) Transfer of property ownership to the heirs of the current owner of record following their death;
 - (d) Transfer of property ownership resulting from a court order;
 - (e) Any change to the rental unit's maximum occupancy due to the addition or deletion of code-compliant bedrooms within the dwelling; and
 - (f) Designation of a new agent.
- ii. **Criteria for approval.** The ZONING ADMINISTRATOR shall approve the issuance of a SHORT-TERM RENTAL permit modification only if he or she finds that the dwelling continues to meet all of the conditions and requirements of this section and any other applicable provision of the Town Code. Prior to acting on an application, the ZONING ADMINISTRATOR, or his or her designee, may inspect the property for compliance with the provisions of this section. The ZONING ADMINISTRATOR may also require the applicants to provide documentation or certify, under penalty of perjury, that the property satisfies any one (1) or more of the conditions contained herein.
 - iii. **Action on application.** The ZONING ADMINISTRATOR shall render a decision on each modification request within 30 calendar days following receipt. If the ZONING ADMINISTRATOR requests additional information from the applicant in order to complete his or her review, the review period shall be tolled until the requested information is supplied by the applicant. Failure to provide the requested information within 10 business days shall be deemed a withdrawal of the modification request. A SHORT-TERM RENTAL UNIT which was duly permitted as of the date the modification request was received may continue to operate while the modification request is under review.
 - iv. **Notification.** The ZONING ADMINISTRATOR's decision shall be communicated in writing to the property owner or designated agent. For purposes of this section, the issuance of a permit modification shall constitute notice of approval.
 - v. **Expiration.** Upon issuance, a modified SHORT-TERM RENTAL permit shall remain valid for the remainder of the license year during which it was issued, unless the permit is further modified, suspended, revoked, cancelled, or abandoned, pursuant to the procedures set forth in this section.
- c. **Appeals.** Any person who is aggrieved by a decision of the ZONING ADMINISTRATOR to approve or deny the issuance of a new or modified SHORT-TERM RENTAL permit may appeal the decision to the Board of Zoning Appeals, pursuant to Section 20.2 of this ordinance.

4. **Violations.**

- a. **Violations defined.** It shall be a violation of this section to:
 - i. Operate a SHORT-TERM RENTAL UNIT without complying with the conditions and requirements of this section and any other applicable provision of the Town Code;

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- ii. Advertise, offer, or otherwise make available a property as a SHORT-TERM RENTAL UNIT without complying with the conditions and requirements of this section and any other applicable provision of the Town Code;
 - iii. Falsify or misrepresent material facts on a SHORT-TERM RENTAL permit application;
 - iv. Advertise the maximum occupancy of a SHORT-TERM RENTAL UNIT in excess of the number allowed pursuant to this section;
 - v. Increase the maximum occupancy of a SHORT-TERM RENTAL UNIT without obtaining town approval of a permit modification;
 - vi. Advertise or rent an accessory structure, including, but not limited to, an ACCESSORY DWELLING unit, pool house or finished room over a GARAGE, as an independent SHORT-TERM RENTAL UNIT;
 - vii. Advertise or rent only a portion of a dwelling for short-term occupancy, such as an individual bed or bedroom;
 - viii. Conduct any commercial activity within, or on the premises of, a SHORT-TERM RENTAL UNIT while the unit is being occupied as a SHORT-TERM RENTAL, unless expressly allowed by this section;
 - ix. Fail to respond to any emergency situation, alleged violation or public complaint communicated by the town, or any inquiry or inspection request made pursuant to the notification requirements of subsection 9.4 O.1.q; and
 - x. Advertise or rent any SHORT-TERM RENTAL UNIT after receiving notice of suspension, abandonment, revocation, or cancellation of a SHORT-TERM RENTAL permit.
- b. **Administration and enforcement.** The ZONING ADMINISTRATOR shall be vested with the authority to administer and enforce the provisions of this section. Notwithstanding any provisions to the contrary, whenever the ZONING ADMINISTRATOR determines that a violation of this section has occurred, he or she shall contact the property owner, designated agent, or local contact, as applicable, to indicate the nature of the violation and to direct the notified party to take such action as may be necessary and proper to correct the violation and/or prevent further violations from occurring. Any notice made in accordance with the foregoing may be communicated by phone, email, in writing or in person, and shall include a reasonable time during which the notified party shall correct the violation. If the notified party fails to correct the violation within the time specified by the ZONING ADMINISTRATOR, the ZONING ADMINISTRATOR may issue an ordinance summons. In the event the ZONING ADMINISTRATOR deems a violation to present a substantial threat to public health or safety, or in instances when a SHORT-TERM RENTAL UNIT has received multiple notices for the same violation, the ZONING ADMINISTRATOR may immediately issue an ordinance summons. In fulfilling the requirements of this section, the ZONING ADMINISTRATOR may designate one (1) or more individuals, including inspectors and code enforcement officers of the town, to act on his or her behalf.
- c. **Penalties.** Any person found guilty of violating any provision of this section shall be subject to the penalties and fines specified in Article 22. Punishment for any violation shall not relieve the offender of any liability for delinquent taxes, penalties, and any other costs.
- d. **Liability of property owners.** A property owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the advertising, use and rental of a dwelling as a SHORT-TERM RENTAL UNIT, regardless of whether such noncompliance was committed by the property owner's designated agent, local contact, renters, or their guests.

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- e. **Liability of designated agents.** A designated agent shall be jointly and severally liable for noncompliance with any applicable law, rule or regulation pertaining to the advertising, use and rental of a dwelling as a SHORT-TERM RENTAL UNIT which occurs at a SHORT-TERM RENTAL UNIT managed by the agent within the town.
5. **Suspension, revocation, and cancellation of SHORT-TERM RENTAL permits.**
- a. **Suspension of permit.**
 - i. **Criteria for suspension.** In addition to all other applicable fines and penalties, the ZONING ADMINISTRATOR may suspend a SHORT-TERM RENTAL permit, as follows:
 - (a) If the property owner and/or designated agent fail to possess a valid town business license for the operation of a SHORT-TERM RENTAL UNIT, as required by Article 8 of the Town Code, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit for that unit until all required business licenses have been obtained.
 - (b) If the property owner or designated agent is found guilty by admission or by the Municipal Judge of committing three (3) or more violations of any other condition or requirement specified in this section during the preceding 12 months, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit for that unit for a period of 60 days. A suspension during the final 60 days of any license year shall continue into the following license year.
 - ii. **Notification.** In instances where a SHORT-TERM RENTAL permit has been suspended pursuant to this section, the ZONING ADMINISTRATOR shall provide written notice to the property owner and, if applicable, the designated agent by certified mail or hand delivery.
 - iii. **Cessation of operation.** Upon receipt of the notice of suspension, the property owner or designated agent shall immediately cease operation of the SHORT-TERM RENTAL UNIT and remove all advertisements for future SHORT-TERM RENTALS. The property owner and designated agent, if applicable, of any property which is being advertised to, or occupied by, short-term renters and their guests after receiving the notice of suspension shall be subject to the enforcement and penalty provisions of this ordinance.
 - iv. **Reinstatement.** A property owner or designated agent may apply for reinstatement of a suspended SHORT-TERM RENTAL permit by submitting a completed application for reinstatement along with a non-refundable reinstatement fee, as provided in Section 18.3. The ZONING ADMINISTRATOR shall reinstate the SHORT-TERM RENTAL permit if he or she finds that:
 - (a) The property owner or designated agent has corrected all outstanding violations to the satisfaction of the ZONING ADMINISTRATOR;
 - (b) The property owner and designated agent have paid all applicable fees and penalties in full; and
 - (c) For permits suspended due to three (3) or more violations during the preceding 12 months, a minimum of 60 days has lapsed from the date upon which the permit was suspended.
 - v. **Abandonment.** If a property owner or designated agent fails to apply for reinstatement within 90 days from the date upon which the permit was suspended, the permit shall be deemed abandoned. Once a SHORT-TERM RENTAL permit has been abandoned, any request to re-establish a SHORT-TERM RENTAL UNIT on the property shall be treated as a new application.

b. **Revocation of permit.**

- i. **Criteria for revocation.** In addition to all applicable fines and penalties, the ZONING ADMINISTRATOR may revoke a SHORT-TERM RENTAL permit due to any one (1) or more of the following:
- (a) The property owner to whom the SHORT-TERM RENTAL permit was issued is no longer the owner of record and neither the current owner nor the former owner modified the permit, as provided herein, within 30 days following the date upon which the property was transferred;
 - (b) The dwelling has been destroyed, damaged beyond REPAIR, or condemned by the Charleston County Building Inspections Department as unfit for human habitation;
 - (c) The property owner has obtained an exemption from the Charleston County Building Services Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work which would otherwise be required to be completed by a licensed residential builder or specialty contractor;
 - (d) The ZONING ADMINISTRATOR determines that the property owner or designated agent falsified or misrepresented one (1) or more material facts on the SHORT-TERM RENTAL permit application;
 - (e) The property owner or designated agent continues to advertise and/or rent a SHORT-TERM RENTAL UNIT after receiving notice of suspension;
 - (f) The SHORT-TERM RENTAL permit has been suspended two (2) or more times in any 24-month period; or
 - (g) The occurrence of any violation which results in death or gross bodily injury to any person, causes substantial damage or destruction of property, or creates a substantial threat to public health and safety, regardless of whether the violation was committed by the property owner, designated agent, local contact person, renter, or their guest.
- ii. **Notification.** In instances where a SHORT-TERM RENTAL permit has been revoked pursuant to this section, the ZONING ADMINISTRATOR shall provide written notice to the property owner and, if applicable, the designated agent by certified mail or hand delivery.
- iii. **Cessation of operation.** Upon receipt of the notice of revocation, the property owner or designated agent shall immediately cease operation of the SHORT-TERM RENTAL UNIT and remove all advertisements for future SHORT-TERM RENTALS. The property owner and designated agent, if applicable, of any property which is being advertised to, or occupied by, short-term renters and their guests after receiving the notice of revocation shall be subject to the enforcement and penalty provisions of this ordinance.
- iv. **Re-establishment.** A property owner or designated agent may not apply for a new SHORT-TERM RENTAL permit at the same location for a period of 12 months following the date of revocation.
- v. **Cancellation of permit.** A property owner or designated agent may request the cancellation of a SHORT-TERM RENTAL permit at any time and for any reason. All requests for cancellation shall be submitted in writing to the ZONING ADMINISTRATOR. Upon receiving the request, the ZONING ADMINISTRATOR shall cancel the SHORT-TERM RENTAL permit and provide written confirmation to the property owner and, if applicable, the

designated agent. Any property owner or designated agent who cancels a permit while the permit is in good standing may reapply for a new permit at any time.

- vi. **Appeals.** Any person who is aggrieved by a decision of the ZONING ADMINISTRATOR to suspend or revoke a SHORT-TERM RENTAL permit may appeal the decision to the Board of Zoning Appeals, pursuant to Section 20.2 of this ordinance.

Q. VACATION CLUB UNIT.

1. The vacation club and the property owner, if different from the vacation club, shall possess a valid town business license.
2. If the VACATION CLUB UNIT is rented for more than 15 days during any calendar year, the vacation club shall collect and remit all required state and local taxes as specified below based upon the gross receipts from the rental of the unit. Upon request, the vacation club shall furnish documentation of the payment of any state and local taxes to the Zoning Administrator within three (3) business days.
 - a. State and local sales taxes (eight (8) percent);
 - b. State accommodations tax (two (2) percent);
 - c. Charleston County accommodations tax (two (2) percent); and
 - d. Any other tax which may be imposed after the effective date of this section.
3. The vacation club shall provide no other commercial services on the premises of the VACATION CLUB UNIT.
4. The VACATION CLUB UNIT shall meet all other requirements applicable to SHORT-TERM RENTAL UNITS, as specified in Section 9.4 O.
5. No LOT or other residential unit in the TOWN may be used for, be subject to, rented, leased, sold, or otherwise operated as a VACATION TIME SHARING PLAN.