

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF GOOSE CREEK, SOUTH CAROLINA CODE OF ORDINANCES, TITLE XI BUSINESS REGULATIONS, BY ADOPTING CHAPTER 115 SHORT TERM RENTALS, TO ESTABLISH A SHORT-TERM RENTAL PERMIT

WHEREAS, the City of Goose Creek desires to improve the general safety, welfare, health and properties of the citizens of the City of Goose Creek; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the City of Goose Creek has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Mayor and City Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Mayor and City Council desires to ensure that the integrity of residential neighborhoods is not compromised; minimum life-safety measures are provided; property management is in place and responsive; licenses, permits and taxes are identified; violations specified and penalties established; and,

WHEREAS, the Mayor and City Council desires to establish a permitting process for Short-term Rental Units; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Goose Creek, South Carolina, in accordance with the foregoing, the City hereby amends the Code of Ordinances for the City of Goose Creek as follows:

SECTION 1 – AMENDMENT. The City of Goose Creek hereby amends the Code of Ordinances for the City of Goose Creek, South Carolina, by adopting and incorporating amendments to Title XI Business Regulations, by incorporating Chapter 115 Short Term Rentals, shown as Exhibit A attached hereto and fully incorporated herein by reference.


SECTION 2 – REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3 – ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and on the date of the final reading.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 17th day of July 2023.


DONE the 8th day of August 2023.



Mayor Gregory S. Habib

Attest: 

Kelly J. Lovette, MMC, City Clerk



Councilmember Debra Green-Fletcher



Councilmember Jerry Tekac



Councilmember Gayla S.L. McSwain



Councilmember Hannah Cox



Councilmember Melissa Enos



Councilmember Christopher Harmon

Exhibit A

CHAPTER 115 SHORT-TERM RENTALS

Sec. 115.001 Purpose and intent.

It is the purpose of this article to establish uniform regulations for the operation of short-term rental units; to protect the public health, safety and general welfare of individuals and the community at large; to provide reasonable means to mitigate potential impacts that may be created by occupancy of short-term rental units; and, to establish appropriate regulations to protect the integrity of residential neighborhoods.

Sec. 115.002 Definitions.

Short-term rental unit. A dwelling unit, principal or accessory, that is rented in its entirety to transient guests for less than 30 consecutive days.

Short-term rental unit agent. A natural person designated by the owner of a short-term rental unit on the short-term rental unit permit application who can perform the duties described within this article.

Transient guest. A person who provides remuneration for lodging at a place other than his/her principal place of residence for a period of less than 30 consecutive days.

Sec. 115.003 Permitted locations.

Short-term rental units shall be permitted in residential districts subject to agent/owner verification of deed restrictions, covenants, rules and regulations of a homeowners or property owners association, or other such restrictions.

Sec. 115.004 Short-term rental unit permit required.

No person shall rent, lease or otherwise exchange for compensation a residential dwelling unit as short-term rental unit, as defined in Section 115.002, without first obtaining a short-term rental unit permit.

Sec. 115.005 Application for short-term rental unit permit.

Applicants for a short-term rental unit permit shall submit an initial application for a short-term rental unit permit, to be renewed annually. The application shall be furnished on a form prepared by the City of Goose Creek accompanied by a non-refundable application fee as set forth in the City's Master Fee Schedule.

Sec. 115.006 Short-term rental unit agent and duties.

- (a) The owner of a short-term rental unit shall designate a short-term rental unit agent on its application for a short-term rental unit permit. A property owner may serve as the short-term rental unit agent or, alternatively, the property owner may designate a natural person as his or her agent who is at least 18 years of age or older.
- (b) The short-term rental unit agent must be able to perform the following duties:
 - (1) Ensure that the short-term rental unit is properly maintained and regularly inspected for compliance with applicable zoning, building, health, life safety code provisions and this article;
 - (2) Be available at a listed phone number 24 hours a day, seven days a week to handle any problems arising from use of the short-term rental unit;
 - (3) Travel to the premises of any short-term rental unit within one hour following notification by the City of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification from the City that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the City of Goose Creek Code of Ordinances or other applicable law. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;
 - (4) Receive and accept service of any notice of violation related to the use or occupancy of the premises; and

- (5) Be able to produce copies of the executed rental or lease agreement for current occupants as needed.
- (c) To change the designated agent, the owner shall notify the City of Goose Creek in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this article within five days of the change.

Sec. 115.007 Grant or denial of application.

- (a) Review of a short-term rental unit application shall be conducted in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions and requirements of this article, 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.
- (b) All of-record property owners adjacent to a proposed short-term rental unit shall be notified of the use prior to the issuance of an initial short-term rental unit permit. Notification shall be issued by the short-term rental unit owner or agent and proof of notification provided to the City in the form of an affidavit. The notification to the property owners shall include:
 - (1) Street address of the proposed short-term rental unit rental;
 - (2) Name of the property owner(s); and
 - (3) Name of short-term rental unit agent and contact information.

Sec. 115.008 Posting of short-term rental unit permit and information on premises.

Inside the short-term rental unit, the following shall be posted in a conspicuous place:

- (a) A legible copy of the short-term rental unit permit.
- (b) A legible copy of transient guest information to include the following:
 - (1) The name, address, telephone number(s) and email address of the short-term rental unit agent;
 - (2) The location of required parking spaces;
 - (3) Emergency numbers for the local police and fire departments;
 - (4) The schedule of solid waste and recycling pick-up;
 - (5) The permit number assigned by the City;
 - (6) A statement that the occupant(s) agree to abide by the requirements of this article, any other City of Goose Creek ordinances and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else; and
 - (7) A statement that the City has a noise control ordinance section 132.014, that will be enforced, that any sound that could be reasonably expected to create a nuisance or cause disturbance to the peace and enjoyment of neighboring properties will not be permitted and that "quiet hours" are between 10:00 p.m. and 7:00 a.m.

Sec. 115.009 Advertising.

The short-term rental unit permit number assigned to an individual short-term rental unit must be published in every print and digital advertisement for the short-term rental unit.

Sec. 115.010 Inspections.

Short-term rental units must be properly maintained and regularly inspected by the owner or short-term rental agent to ensure continued compliance with applicable zoning, building, health and life-safety code provisions.

Sec. 115.011 Violations and penalties.

- (a) *Violations.* It shall be a violation of this article to:
 - (1) Operate a short-term rental unit without complying with the requirements of this article and the City Code of Ordinances;

- (2) Advertise a residential dwelling as being available for a short-term rental unit without first complying with the requirements of this article, including applying for and obtaining a short-term rental unit permit;
- (3) Operate a short-term rental unit that has received two or more notifications of violations during any one-year permit period.
 - a. When there is a change of ownership, the number of allowable notices and violations shall be reset upon the issuance of a new short-term rental unit permit.
 - (b) Failure of the short-term rental unit agent to timely appear to two or more complaints regarding violations may be grounds for penalties including but not limited to, revocation of the permit as set forth in this article.

Sec. 115.012 Licenses, permits and tax verification forms required.

- (a) No person shall rent or lease a dwelling unit as a short-term rental unit as defined without initially and on a continuing basis:
 - (1) Obtaining a short-term rental unit permit from the City of Goose Creek;
 - (2) Providing proof of a business license from the City of Goose Creek; and
 - (3) Paying all applicable fees and taxes.

Sec. 115.013 Renewals and modifications.

- (a) *Renewals.* All short-term rental unit permit holders must apply annually for renewal of the registration permit.
- (b) *Modifications.* An application for a modification of a short-term rental unit permit is necessary when:
 - (1) When the short-term rental unit agent changes.

Secs. 115.014 – 099 Reserved.