

Resolution 2022-R-164

Authorizing Moratorium on Short-Term Rentals in Residential Zoning Districts within the City of Irondale

WHEREAS, it is the responsibility of the governing body of the City of Irondale (“City”) to set policies and enact regulations which improve the quality of life for everyone who lives, works, or does business in the city and to attract new residents and new and diverse businesses and industry to become a part of the community; and

WHEREAS, short-term rental operations typically involve the renting rooms or whole homes to non-family members for a fee; involve stays of shorter than 30 days; and are arranged for through the use of internet sites, such as Airbnb, VRBO, Home Away or Craig’s List; and

WHEREAS, short-term rentals are dependent on higher volume residential customer traffic than is usually prevalent in residential neighborhoods and involve higher parking and traffic demand than is typical in residential areas, all of which may make such a use incompatible with single and multi-family residential uses established under one or more of the City’s residential zoning districts; and

WHEREAS, the increase in transient occupancy has an adverse impact on residential neighborhoods because it has generated safety issues for residents and often also generates excess noise, traffic, and trash; and

WHEREAS, the Irondale Police Department has reported that calls to short-term rentals in residential neighborhoods have increased, specifically (i) on January 14, 2022, gunshots erupted into the air from an Airbnb location following the end of a party at said Airbnb and (ii) on January 21, 2022, shots were fired from an Airbnb location that resulted in damage to neighboring property, including a glass door being shot out and a car window being broken by the bullets; and

WHEREAS, the City passed Ordinance No. 2022-02 on March 1, 2022 in an effort to regulate the use of short-term rentals within the City of Irondale and setting forth certain requirements of operators of short-term rentals included requiring all short-term rentals to be properly licensed and permitted through the City and for all short-term rentals to be owner occupied; and

WHEREAS, the City finds it necessary and proper to re-evaluate the regulations placed on short-term rentals through Ordinance No. 2022-02 and to establish a moratorium on the establishment of any new short-term rentals uses within residential zones, the issuance of any new building permits for any short-term rental operations in residential zones, and the issuance of new business licenses for short-term rental operations in residential zones while it analyzes regulatory options, and, if it finds that additional regulations are appropriate, while it reasonably and deliberately develops those options for consideration; and

WHEREAS, the proposed moratorium will allow the City to protect its communities while preserving the status quo; thereby allowing the City the opportunity to determine the appropriate means to regulate short-term rentals within residential areas in the city of Irondale; and

WHEREAS, this moratorium is not intended to impact short-term rental businesses currently operating within the City; and

WHEREAS, the City further finds that this moratorium is designed to limit the use of property in a temporary and minimal way and shall be effective only for such time as is necessary to reasonably consider regulatory options and to implement those options, if appropriate.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Irondale, Alabama, in regular meeting duly assembled, a quorum being present as follows:

1. **Moratorium on the Issuance of Business Licenses.** A moratorium on the issuance of business licenses for new short-term rental operations in residential zoning districts is established. While this moratorium is in effect, no new business licenses shall be granted for the operation of short-term rental operations in residential zoning districts within the City.
2. **Moratorium on the Issuance of Short-Term Rental Permits.** A moratorium on the issuance of short-term rental permits for new short-term rental operations in residential zoning districts is established. While this moratorium is in effect, no new short-term rental permits shall be granted for the operation of short-term rental operations in residential zoning districts within the City.
3. **Moratorium on Establishment of New Short-Term Rental Uses.** A moratorium on the establishment of new short-term rental uses in residential zoning districts is established. While this moratorium is in effect, no new short-term rental operations in residential zoning districts within the City shall be established.
4. **Area Subject to Moratorium.** This moratorium shall apply to all property in residential zoning districts in the City of Irondale, Alabama.
5. **“Short-Term Rental Operation” Defined for the Purpose of Moratorium.** For the purpose of this moratorium, a “short-term rental operation” is defined as the rental of any residential property for rent, a fee, or other consideration for a period of time less than thirty (30) successive days.
6. **Time of Moratorium.** This moratorium shall be imposed immediately upon its passage by the City Council and shall extend for a period of four (4) months to allow the City to study and develop alternate short-term rental regulations for residential properties within the city of Irondale.
7. **Purposes of Moratorium.** This moratorium is designed to protect the health, safety, and welfare of the residents of the city of Irondale by temporarily limiting expansion or

conversion of residential properties used or to be used as short-term rental operations within residential zoning districts until appropriate analysis and regulatory enactments may be considered and adopted, if adoption is deemed appropriate and necessary. This moratorium has been determined to be in the best interest of the City of Irondale and its residents and is narrowly tailored to accomplish the objective of protecting the future viability of affected areas, which impact has a direct bearing on the health, safety, and welfare of residents of this area and the general public.

ADOPTED & APPROVED: This 6th day of September, 2022.

David Spivey, City Council President

APPROVED:

James D. Stewart, Jr., Mayor

ATTESTED:

Leigh Ann Allison, City Clerk

CERTIFICATION

I, Leigh Ann Allison, the City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on the 6th day of September, 2022, as the same appears in the minutes of record of said meeting.

Leigh Ann Allison, City Clerk