

ORDINANCE NO.: 2026-__

AN ORDINANCE OF BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, REGARDING SHORT-TERM VACATION RENTALS; CREATING A NEW SECTION 6 OF HERNANDO COUNTY CODE, APPENDIX A, ARTICLE III, TO BE ENTITLED "REQUIREMENTS FOR SHORT-TERM VACATION RENTALS"; PROVIDING FOR A REGULATIONS OF SHORT-TERM VACATION RENTALS THAT ARE CONSISTENT WITH FLA. STAT. CHAPTER 633 AND ARE COMPARABLE WITH THOSE THAT THE STATE APPLIES TO OTHER TRANSIENT PUBLIC LODGING ESTABLISHMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Fla. Stat. Ch. 509 establishes a regulatory framework for lodging establishments, including vacation rentals and transient public lodging establishments; and,

WHEREAS, Fla. Stat. Ch. 509 defines vacation rentals as "transient public lodging establishments" that consist of "any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests"; and,

WHEREAS, although Fla. Stat. § 509.032 restricts local governments from enacting regulations that prohibit vacation rentals or that regulate the duration or frequency of such rentals, the statute also provides that local governments may enact new regulations on vacation rentals that do not pertain to duration and frequency; and,

1 WHEREAS, the occupants of vacation rentals, due to the transient nature of their occupancy,
2 are unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, exit routes,
3 pool and home safety features, and other similar safety measures that would ordinarily be provided
4 to guests in traditional lodging establishments, i.e., hotels and motels; and,

5 WHEREAS, if left unregulated, the occupants of vacation rentals located within established
6 neighborhoods can disturb the quiet enjoyment of the neighborhood and create numerous secondary
7 impacts, including noise, traffic and a greater demand on public services; and,

8 WHEREAS, traditional lodging establishments are typically restricted to commercial and
9 other non-residentially zoned areas where intensity of use is separated from less busy and quieter
10 residential uses; and,

11 WHEREAS, like many other counties throughout the State of Florida, Hernando County
12 wishes to impose standards both to provide for the safety and welfare of occupants of vacation
13 rentals and to minimize any negative impacts caused by vacation rentals in residential areas,
14 especially established single-family neighborhoods; and,

15 WHEREAS, Hernando County desires vacation rentals that are safe, conform to the character
16 of the community, provide positive impacts for tourism, do not detract from property values and
17 achieve greater neighborhood compatibility; and,

18 WHEREAS, the County's enactment of regulations applicable to vacation rentals is
19 necessary to preserve the integrity of residential areas and neighborhoods and corresponding

1 property values, while also protecting the health, safety and welfare of residents, property owners,
2 investors and transient occupants of the County; and,

3 WHEREAS, the County's regulations are intended to supplement, not replace, any existing
4 federal or state law or regulation or any existing controls within established residential units served
5 by homeowner or condominium associations; and,

6 WHEREAS, the County's regulations neither prohibit vacation rentals nor restrict the
7 duration or frequency of vacation rentals; rather they are intended to address life safety and
8 compatibility concerns and the secondary effects of vacation rentals located within residential areas
9 and neighborhoods; and,

10 WHEREAS, the Board finds that this Ordinance is consistent with and promotes the goals,
11 policies, and objectives of the Hernando County Comprehensive Plan, and will promote the public
12 health, safety, welfare, economic order, convenience, and aesthetics of the County and its residents.

13 WHEREAS, the County, through its existing regulatory framework, will issue permits to
14 short-term rentals conforming to these standards, which will in turn provide a level playing field
15 amongst all providers of short-term rental units; and,

16 WHEREAS, this ordinance additionally establishes an enforcement mechanism for those
17 short-term rental properties which do not adhere to the standards on an initial or continuing basis,
18 with the overall goal of the short-term rental unit program being compliant with the standards and
19 not punitive in its scope.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF HERNANDO COUNTY:

3 **Section 1. Incorporation of Recitals.** The above-delineated recitals are incorporated into
4 this ordinance as the Board of County Commissioners' findings of fact as if they were fully set forth
5 herein.

6 **Section 2. Enactment of Short-Term Rental Use Regulations.** A new Section 6 of
7 Hernando County Code, Appendix A, Article III, to be entitled “Requirements for Short-Term
8 Vacation Rentals,” is hereby created to read as follows:

9 **Requirements for Short-Term Vacation Rentals**

10 **Section 1. Applicability.**

11 (1) This Article applies to any building or structure utilized as a short-
12 term vacation rental within any County zoning district, but it does not apply to
13 timeshares, hotels, motels, bed-and-breakfasts, or residential dwelling units that are
14 only rented for periods that exceed one month.

15 (2) Areas Embraced. The areas embraced by this chapter will be all lands
16 within the unincorporated area of Hernando County.

17 **Section 2. Definitions.**

18 The following terms as used in this Article are defined as set forth hereinafter:

1 Administrative Official shall have the same meaning as is provided for that
2 term in Hernando County Code, Appendix A, Article V, § 1, as it may be amended
3 from time to time.

4 Bedroom shall have the same meaning as is provided for the term in Fla. Stat.
5 § 381.0065(b), as that statute may be amended from time to time.

6 Building Official shall have the same meaning as is provided for the term in
7 Hernando County Code § 8-28, as that ordinance may be amended from time to time.

8 Fire Chief shall have the same meaning as is provided for the term in
9 Hernando County Code § 12-18, as that ordinance may be amended from time to
10 time.

11 Fire Safety Inspector shall have the same meaning as is provided for the term
12 in Hernando County Code § 12-18, as that ordinance may be amended from time to
13 time.

14 Inspection for purposes of the application of this section means an onsite
15 review of the subject property by Hernando County staff for compliance with the
16 applicable minimum life/safety requirements.

17 Occupancy refers to the number of adults and minors regularly present within
18 the boundary of the property.

19 Owner means the person or entity holding legal title to the short-term rental
20 property, as reflected in the Hernando County Tax Collector's records.

1 Registration shall mean the registration required by Hernando County to
2 operate a short-term rental.

3 Responsible Party means the owner or agent, 18 years of age or older, tasked
4 with responding to requests for inspections, complaints, and other problems relating
5 to or emanating from the short-term rental of the transient public lodging
6 establishment. The responsible party must be available to respond 24 hours per day,
7 7 days per week to any issue that arises relating to the short-term rental's operation
8 and must be authorized to act on behalf of the owner to report issues of trespass to
9 law enforcement in relation to occupancy violations under this Section. There will
10 only be one designated responsible party for each short-term rental. An owner may
11 retain a private property management company to serve as the designated responsible
12 party.

13 Short-Term Rental, Short-Term Rental Property, Vacation Rental, and
14 Transient Public Lodging Establishment are terms that may be used interchangeably
15 and each of which have the same meaning as is provided for "transient public
16 lodging establishment" in Fla. Stat. § 509.013(4)(a)1, as that statute may be amended
17 from time to time.

18 Transient Occupant shall mean any person who rents or occupies any
19 dwelling unit or residence or part thereof for less than 30 days or one calendar
20 month, whichever is less, and any guest or invitee of such person.

1 **Section 3. Registration Required.**

2 (1) It shall be unlawful for any person or entity to operate a short-term
3 rental within the unincorporated areas of the County without first registering the
4 short-term rental with the Administrative Official in accordance with the
5 requirements of this Article. All existing vacation rentals shall be required to be
6 registered within six (6) months of the effective date of this Article.

7 (2) It is recognized there are agreements for short-term rentals in
8 existence at the time of the effective date of the ordinance and such agreements will
9 be considered vested. Should any issue arise as to whether a rental agreement is
10 vested under this subsection, the owner or responsible party shall provide proof of
11 a vested rental agreement to the satisfaction of the Administrative Official, including
12 providing electronic data that establishes the date on which the agreement at issue
13 was entered.

14 **Section 4. Initial Registration.**

15 Every short-term rental owner or operator shall first register with the County
16 by submitting to the Administrative Official a properly completed and notarized
17 registration form, as prescribed by the County, together with a registration fee in an
18 amount established by resolution of the Board of County Commissioners. A separate
19 registration form shall be required for each short-term rental. The registration form
20 shall be accompanied by the following:

1 (1) The property address;

2 (2) The name, address, electronic mail address, and telephone number of
3 the owner of said property;

4 (3) A property card printout from the database maintained by the
5 Hernando County Property Appraiser; and,

6 (4) A current transient public lodging establishment license issued by the
7 Florida Department of Business and Professional Regulation; and,

8 (5) A copy of the short-term rental's current and active certificate of
9 registration with the Florida Department of Revenue for the purpose of collecting
10 and remitting sales taxes, transient rental taxes and any other taxes required by law
11 to be remitted, as applicable; and,

12 (6) Proof of the establishment of an account with the Hernando County
13 Tax Collector for the payment of tourist development taxes or that payment is
14 arranged through a third party; and,

15 (7) A completed short-term rental responsible party designation, in the
16 format prescribed by the County, which shall state, at a minimum, the name, address,
17 electronic mail address, and emergency contact telephone number of the responsible
18 party; and,

19 (8) The maximum number of occupants the vacation rental will have,
20 both overnight and at all times other than overnight.

1 (9) Proof that the fire chief or a fire inspector has inspected the short-term
2 vacation rental within 30 days of the date of the registration form to insure
3 compliance with then-current and applicable uniform fire safety standards, any local
4 amendments thereto, and any codes that are incorporated by reference into those
5 standards pursuant to Fla. Stat. §§ 509.032(7)(a) and 553.80, as they may be
6 amended.

7 (10) Proof that the building official or his/her designee has inspected the
8 short-term vacation rental within 30 days of the date of the registration form to insure
9 compliance with then-current edition Florida Building Code, any local amendments
10 thereto, and any codes that are incorporated by reference into those standards
11 pursuant to Fla. Stat. §§ 509.032(7)(a) and 633.206, as they may be amended.

12 **Section 5. Renewal of Registration.**

13 After a short-term rental is initially registered, the registration shall be
14 renewed by October 1st of each year through the execution of a renewal affidavit, in
15 the format prescribed by the County, and the payment of the renewal fee established
16 by resolution of the Board of County Commissioners.

17 **Section 6. Registration.**

18 If all the information and documents listed in Sections 4 or 5 above are
19 provided to the Administrative Official, the Administrative Official's acceptance of
20 the applicable registration or renewal of a short-term rental shall be a ministerial act.

1 The Administrative Official shall provide a copy of each accepted short-term rental
2 registration to the Hernando County Property Appraiser's Office to ensure proper
3 treatment of property tax exemptions and valuation.

4 **Section 7. Update of Registration Information.**

5 Any changes to the information or submittals included with the application
6 for an initial registration or a subsequent renewal thereof must be reported to the
7 Administrative Official within thirty (30) days of the occurrence of such changes.

8 **Section 8. Incomplete Applications for Initial Registration or Renewal.**

9 If the registration form or renewal form submitted pursuant to this section is
10 incomplete, the registrant shall be informed of such deficiency and shall have twenty
11 (20) days to correct the deficiency.

12 **Section 9. Inspections.**

13 (1) Interior inspections of registered short-term vacation rentals shall be
14 performed at the discretion of the Fire Chief.

15 (a) If an inspection documents violations, all violations must be
16 corrected and re-inspected within thirty (30) calendar days. Failure to correct such
17 inspection deficiencies in the timeframes provided shall result in enforcement as
18 provided in Section 14 until such time as the violation(s) is/are corrected and
19 reinspected.

1 **(b) Follow up inspections or re-inspections shall be made by**
2 **appointment with the short-term vacation rental responsible party, and shall be**
3 **subject to a fee determined by resolution of the Board of County Commissioners. If**
4 **the inspector has made an appointment with the responsible party to complete an**
5 **inspection and the responsible party fails to admit the officer at the scheduled time**
6 **the owner shall be charged a "no show" fee in an amount to be determined by**
7 **resolution of the Board of County Commissioners to cover the inspection expense**
8 **incurred by the County.**

9 **(c) If an inspector is denied admittance by the short-term vacation**
10 **rental responsible party or if an inspector fails in at least three (3) attempts to**
11 **complete an initial or subsequent inspection of the rental unit, the inspector(s) shall**
12 **provide notice of failure of inspection to the owner at the address that the owner**
13 **provided on the most recent registration form. Additionally, the Fire Chief or his or**
14 **her designee may apply to a court of competent jurisdiction to issue an inspection**
15 **warrant or court order to permit an inspection under this Section.**

16 **(d) Inspections may be conducted by any person who is**
17 **authorized to enforce the laws and rules of the State Fire Marshal for issues**
18 **pertaining to life safety requirements pursuant to Fla. Stat. § 633.118, as it may be**
19 **amended from time to time.**

1 (2) Nothing in Subsection (a) above is intended to prevent the Building
2 Official or the Building Official's designee from conducting on-site inspections of
3 registered short-term vacation rentals to insure their continued compliance with then-
4 current edition Florida Building Code, any local amendments thereto, and any codes
5 that are incorporated by reference into those standards pursuant to Fla. Stat. §§
6 509.032(7)(a) and 633.206, as they may be amended from time to time. Such
7 inspections shall performed pursuant to the processes set forth in Hernando County
8 Code Chapter 8.

9 (3) In Fla. Stat. § 509.032(2)(a), the Legislature has designated the
10 Florida Department of Business and Professional Regulation as the sole government
11 entity that is authorized to inspect public lodging establishments for compliance with
12 Fla. Stat. Ch. 509. Neither the Fire Chief nor the Building Official, nor their
13 respective designees, may conduct an inspection of a short term vacation rental for
14 the purpose of ensuring compliance with Fla. Stat. Ch. 509, as it may be amended
15 from time to time. If, during the inspection of a short term vacation rental conducted
16 pursuant to this Article, an inspector identifies a potential violation of Fla. Stat. Ch.
17 509, the inspector shall file a complaint detailing the potential violation with the
18 Florida Department of Business and Professional Regulation.

1 **Section 10. Registration Not Transferable.**

2 No registration issued under this article shall be transferred or assigned or
3 used by any person other than the one to whom it is issued, or at any location other
4 than the one for which it is issued.

5 **Section 11. Standards for Short-Term Rentals.**

6 (1) All short-term rental units must meet all applicable minimum
7 life/safety requirements, including but not limited to the Florida Building Code, the
8 Florida Fire Prevention Code, National Fire Protection Association (NFPA) 101, the
9 Residential Swimming Pool Safety Act, Fla. Stat. Chapter 515, the Hernando County
10 Property Maintenance Ordinance, Hernando County Code Chapter 15, Article V, the
11 Hernando County Mosquito and Other Pesticiferous Arthropod Control Ordinance,
12 Hernando County Code Chapter 15, Article IX, the Hernando County Building Code,
13 Hernando County Code Chapter 8, and the Flood Damage Prevention and Protection
14 Ordinance, Hernando County Code Chapter 13, as each may be subsequently
15 amended.

16 (2) All short-term rental units must meet all applicable state and local
17 public nuisance laws and ordinances, including, but not limited to, Fla. Stat. §§
18 823.01, 823.05 and 823.10 which prohibits any place or premises from being used
19 as a public nuisance, or as a site for the unlawful sale or delivery of controlled
20 substances, prostitution, youth and street gang activity, gambling, illegal sale or

1 consumption of alcoholic beverages, or lewd or lascivious behavior that adversely
2 affects the public health, safety, morals, and welfare.

3 (3) Maximum Occupancy. Maximum occupancy shall be no more than
4 two persons per bedroom plus two persons in one common area, not to exceed more
5 than ten persons total per unit, whichever is less.

6 (4) Parking. A minimum of one off-street parking space will be provided
7 for every three occupants. The number of parking spaces shall be rounded up to the
8 next whole number. Garage spaces count towards minimum requirement if available
9 to the occupant(s). Front lawn parking does not count towards the minimum
10 requirement.

11 (5) Smoke and Carbon Monoxide (CO) Detection and Notification
12 System. If an interconnected and hard-wired smoke and carbon monoxide (CO)
13 detection and notification system is not in place within the vacation rental, then one
14 such system shall be required to be installed and maintained on a continuing basis
15 consistent with the requirements of Section R314, Smoke Alarms, and Section R315,
16 Carbon Monoxide Alarms, of the Florida Building Code-Residential.

17 (6) Fire Extinguisher. A portable, multi-purpose dry chemical 2A:10B:C
18 fire extinguisher shall be installed, inspected and maintained in accordance with
19 NFPA 10 on each floor/level of the dwelling unit. The extinguisher(s) shall be

1 installed on the wall in an open common area or in an enclosed space with
2 appropriate markings visibly showing the location.

3 (7) Battery Powered Emergency Lighting of Primary Exit. Battery
4 powered emergency lighting which provides illumination automatically in the event
5 of any interruption of normal lighting shall be provided for a period of not less than
6 one hour to illuminate the primary exit.

7 (8) Emergency Egress and Maintenance. Halls, entrances and stairways
8 within a short-term rental shall be clean and ventilated. Hall and stair runners shall
9 be kept in good condition. Rails shall be installed on all stairways and around all
10 porches and steps.

11 (9) Short-Term Rental Responsible Party. Each short-term rental must
12 designate a responsible party to respond to routine inspections as well as non-routine
13 complaints and any other problems related to the operation of the short-term rental.
14 The property owner may serve in this capacity or shall otherwise designate another
15 person eighteen (18) years or older to perform the following duties:

16 (a) Be available by telephone at the listed phone number
17 twenty-four (24) hours per day, seven (7) days per week and be capable of handling
18 any issues relating to the operation of the short-term rental;

1 (b) If required, be willing and able to come to the short-term
2 rental within two (2) hours following notification from an occupant, the owner, or
3 the County to address any issues relating to the operation of the short-term rental;

4 (c) Maintain a record of all lease or rental agreements for the
5 short-term rental;

6 (d) Receive service of any legal notice on behalf of the owners for
7 violation of the requirements set forth in this division; and,

8 (e) Otherwise monitor the short-term rental to ensure compliance
9 with the requirements set forth in this Article.

10 (10) Accessory Structure Prohibition. Short-term vacation rentals are
11 restricted to the primary dwelling unit of the parcel. The use of accessory structures
12 or non-dwelling units (e.g., RVs, sheds, barns, etc.) for short-term rental purposes
13 is prohibited.

14 **Section 12.Administrative Appeals.**

15 (1) An aggrieved party may appeal a decision made by the administrative
16 official with regard to his or her administration of this ordinance to the Board of
17 County Commissioners pursuant to the procedures set forth in Hernando County
18 Code, Appendix A, Article V, § 3(F)(1), as it may be amended.

1 (2) Appeals of a decision by the building official or the building official's
2 designee shall be governed by the procedures set forth in Hernando County Code §§
3 8-98(113) or 8-140, as appropriate and as they may be amended from time to time.

4 (3) A substantially affected person who receives an adverse ruling from
5 the Fire Chief or the Fire Chief's designee related to an interpretation of the Florida
6 Fire Prevention Code may seek further review by filing a petition for a declaratory
7 statement from the State Fire Marshal in accordance with Fla. Stat. § 633.104(6) and
8 Rule 69A-60.007(5), F.A.C., as they may be amended from time to time.

9 **Section 13. Giving False or Misleading Information.**

10 It shall be unlawful for any person to give any false or misleading
11 information in connection with the requirements and obligations set forth in this
12 Article.

13 **Section 14. Violations; Remedies; Enforcement; No Waiver; Evidence of Short-**
14 **Term Rental Operation.**

15 (1) Violations. Non-compliance with any provision of this Article shall
16 constitute a violation of the Hernando County Code, and each day the violation exists
17 shall constitute a separate and distinct violation.

18 (2) Remedies and Enforcement. Any violations of this Article may be
19 enforced pursuant Hernando County Code, Chapter 2, Article III, as it may be

1 amended, or through any other manner authorized by law, including, but not limited
2 to, the seeking of injunctive relief in a court of competent jurisdiction.

3 (3) In addition to any fines and any other remedies described herein or
4 provided for by law, a special master may suspend a vacation rental registration in
5 accordance with the following:

6 (A) Suspension Time Frames.

7 1. Upon a third violation of this article the vacation rental
8 registration shall be suspended for a period of one hundred eighty (180) calendar
9 days.

10 2. Upon a fourth violation of this article the vacation
11 rental registration shall be suspended for a period of three hundred sixty-five (365)
12 calendar days.

13 3. For each additional violation of this article the vacation
14 rental registration shall be suspended for an additional thirty (30) calendar days up
15 to a maximum period of twelve (12) months.

16 (B) A vacation rental may not provide transient occupancy during
17 any period of suspension of a vacation rental registration. The suspension shall begin
18 immediately following notice, commencing either at the end of the current vacation
19 rental lease period or within thirty (30) calendar days, whichever date commences
20 earlier. Operation during any period of suspension shall be deemed a violation

1 pursuant to this Article. An application for a renewal may be submitted during the
2 period of suspension; however, no registration may be accepted for the vacation
3 rental until the period of suspension has expired.

4 (4) No Waiver. A valid vacation rental registration shall not be construed
5 as a waiver of any of the requirements contained within the Hernando County Code
6 or Hernando County's Comprehensive Plan, nor shall such registration be construed
7 as approval of a use or activity that would otherwise be illegal under Florida law or
8 prohibited by the Florida Building Code or the Florida Fire Prevention and Life
9 Safety Code.

10 (5) Evidence of Short-Term Rental Operation. In any proceeding pursuant
11 to this Article, the advertising, listing or posting of a property on the internet,
12 utilizing any mass communication medium or in any publication as being available
13 for use as a short-term rental creates a rebuttable presumption that the owner or
14 operator is utilizing the property as a short-term rental. Nothing set forth herein
15 precludes the County from presenting other forms of evidence of short-term rental
16 operation.

17 **Section 3. Severability.** It is declared to be the intent of the Board of County
18 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
19 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
20 the validity of the remaining portions of this ordinance.

Section 4. Inclusion in the Code. It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

Section 5. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Effective Date. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

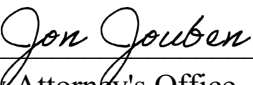
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this _____ day of _____ 2026.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: _____
DOUG CHORVAT, JR.
Clerk

By: _____
JERRY CAMPBELL
Chairman

Approved for Form and Legal Sufficiency


County Attorney's Office