

STATE OF GEORGIA
COUNTY OF HALL

A RESOLUTION TO AMEND THE CODE OF ORDINANCES OF HALL COUNTY
WITH REGARD TO SHORT TERM RENTALS

WHEREAS, Hall County has developed certain regulations governing short term rentals of privately owned residential structures found in Chapter 17.216 of the Official Code of Hall County, Georgia; and

WHEREAS, Hall County's current regulations relating to short term rentals are silent as they relate to covenants between landowners as to short term rentals; and

WHEREAS, Hall County's Board of Commissioners believes that promoting the enforcement of covenants between neighboring landowners is in the best interest of the County's citizens and taxpayers; and

WHEREAS, the County's Board of Commissioners wishes to alter its current ordinance relating to short term rentals so as to require that the County consider all landowner covenants as a requirement of the business license application process for short term rental properties; and

WHEREAS, the County's Board of Commissioners believes that changes to its short term rental ordinance as described herein are in the best interests of residents and businesses of Hall County, Georgia, and would promote the public health, safety, and general welfare of such residents and businesses.

NOW, THEREFORE, the Board of Commissioners does hereby amend The Official Code of Hall County, Georgia as follows:

1.

Section 17.216.060 (Business license and tax, and transferability) is hereby amended by deleting the current subsection A in its entirety, and by inserting in lieu thereof a new subsection A which provides as follows:

17.216.060 – Business license and tax, and transferability.

“A. *Business license and tax.*

1. The owner shall pay all required excise tax per section 3.40.020 of this Code;
2. No owner or local contact person of a short term rental shall rent that vacation home without first applying for and registering the business per section 3.40.060 of this Code;
3. The owner shall comply with all other applicable provisions of chapter 3.40 of this Code;
4. The owner shall obtain a business license for said short term rental and comply with all applicable provisions of title 5 of this Code for business licenses and regulations;
5. A separate business license shall be required for each vacation home used for short term rental;
6. A business license application may be denied if the applicant has had a prior short term rental for the same vacation home or location revoked within 12 months of the application;
7. A business license application will be denied if the property for which the business license is sought is subject to one or more covenants proscribing or restricting the use of the property as a short term rental.
8. The following additional information shall be required to be submitted with each application for a business license for a short term rental:

(a) The name, address, telephone number, and e-mail address of the local contact person for the short term rental;

(b) The number of bedrooms and approximate square footage in the short term rental, and the maximum number of overnight and daytime occupants;

(c) Acknowledgement that the owner and local contact person have read all regulations pertaining to the operation of a short term rental;

(d) True and correct copies of any and all covenants to which the property sought to be used as a short term rental is subjected, together with a sworn statement on a form prescribed by the County on which the owner and applicant swear under oath that the property is subject to no covenants other than those which have been provided to the County by the owner and applicant.

2.

The remaining provisions of Section 17.216.060 of the Hall County Code of Ordinances shall remain as they were, unchanged by this amendment.

3.

This ordinance will become effective July 1, 2023.

SO RESOLVED, this the _____ day of _____, 2023.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, Chairman

ATTEST:

(SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

William J. Linkous III, County Attorney