

EXHIBIT A

THE CODE OF GREENE COUNTY, GEORGIA

PART II: CODE OF ORDINANCES

APPENDIX B: ZONING

ARTICLE IV: ESTABLISHMENT OF DISTRICTS

Appendix B (Zoning), Article IV (Establishment of Districts), of the Code of Greene County, Georgia, is amended to add the following new zoning district, to wit:

Short Term Rental Overlay District (STRO)

Sec. 4.1 is amended to add new zoning district Short Term Rental Overlay District (STRO)

ARTICLE VII: USE REQUIREMENTS BY DISTRICT

Appendix B (Zoning), Article VII (USE REQUIREMENTS BY DISTRICT), of the Code of Greene County, Georgia, is amended to add the following new Section 7.19 regarding the "Short Term Rental Overlay District," to wit:

7.19 Short Term Rental Overlay District

7.19.1 Purpose. The purpose of this zone is to designate areas in the community where rental of residential units on an overnight or short term basis have otherwise previously been generally prohibited but may be desirable and in the best interests of the residential community, and to aid the development of housing in those areas. Nothing in this Article is intended to regulate the amount of rent that may be charged by a property owner.

7.19.2 Applicability.

7.19.2.1 The provisions of this section 7.19 apply in the unincorporated portions of Greene County, Georgia in which a STRO District has been established in accordance with 7.19.3.

7.19.2.2 All requirements, regulations and standards imposed by this section apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in this Code.

7.19.2.3 The restrictions and obligations contained in this section shall apply to short term rentals at all times during which such units are marketed and used as short term rentals.

7.19.2.4 The allowance of short term rentals pursuant to this section shall not prevent enforcement of additional restrictions that may be contained in restrictive covenants or other private contractual agreements or arrangements.

7.19.3 Short Term Rental Overlay District Requirements.

7.19.3.1 It shall be unlawful for any owner of any property within the unincorporated areas of Greene County to rent or operate a short term rental of residential property contrary to the procedures and regulations established in this section, other provisions of the Greene County Code of Ordinances ("Code"), or any applicable state law.

7.19.3.2 Short term rentals shall only be allowed in residential communities wherein a Short Term Rental Overlay District has been established by the County in accordance with the process for map amendments contained in this Code, including pursuant to an application by the Planning Commission, the Board of Commissioners, a property owner, or the authorized agent of a property owner. Where the interest of the public health, safety or welfare is promoted, the Board of Commissioners may waive an application requirement otherwise required for the adoption of a Short Term Rental Overlay District.

7.19.3.2.1 In addition to the process for a zoning map amendment, as provided by Article XIII, Sections 13.2 and 13.3 of this Chapter, an application for the establishment of a STRO district submitted by an individual(s) shall include a list of each and every owner of real property, as reflected on the County's property tax records, or in the case of property that has been transferred since the last property tax return, the owner as reflected on a deed provided by the applicant evidencing such transfer from the owner as reflected on the County's property tax records, in the residential community indicating their support for the STRO District. Such list shall include contact information for each owner to include phone number, email address, street address of the lot in the residential community, mailing address, and signature indicating support of the application. The list of property owners submitted pursuant to the application requirements shall reflect the support of owners of at least 60% of the legal parcels in the residential community. Notwithstanding the

indication of support by other property owners, or lack thereof, the final decision with respect to the imposition of a Short Term Rental Overlay District shall be made by the Board of Commissioners in compliance with the procedures and standards set forth in Article XIII of this Chapter.

7.19.3.2.2 A developer of a residential community may apply for a STRO District for areas designated within the residential community provided that the developer is actively developing the residential community, and continues to own developable property in, or adjoining the residential community. Such an application shall clearly designate the area to which the STRO shall apply.

7.19.3.2.3 If granted, a STRO District shall be approved for a period of five years after final approval by the County and may be terminated or renewed after a public hearing following the same procedure required for the initial designation.

7.19.3.3 Notwithstanding the provisions of section 7.19.3.2, any dwelling that has been rented for periods of not less than one night and not more than thirty (30) consecutive nights during the 12-month period beginning September 1, 2016 and ending August 31, 2017, provided that the owner of such dwelling registered the physical address of the short term rental with the County for the remittance of hotel/motel occupancy tax and paid all hotel/motel occupancy tax due to the County prior to the passage of this Ordinance for the specified 12-month period, shall be deemed a lawful non-conforming use that may continue to exist in perpetuity as a short term rental. Such dwellings shall be subject to all of the procedures and regulations of this section 7.19 as if the use were an allowed use under the section. Notwithstanding the foregoing, a short term rental dwelling's non-conforming status shall expire upon the conveyance of that dwelling to an unrelated third party.

7.19.3.4 Notwithstanding anything in this Section 7.19 to the contrary, during the period of April 1 through April 15 of the calendar year ("April Window"), short term rentals as defined herein shall be allowed to occur in any district without the necessity of first obtaining a short term rental business license. Such short term rentals during the April Window shall comply with the requirements of Sections 7.19.10, 7.19.11, 7.19.12, 7.19.13 and 7.19.14 other than

any requirements directly associated with obtaining and maintaining a short term rental business license. During the April Window property owners shall be subject to penalties for all violations other than for failure to maintain a short term rental business license or any requirements directly associated with obtaining and maintaining a short term rental business license.

7.19.4 Definitions. For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this section, except where the context clearly indicates a different meaning:

7.19.4.1 *Code compliance verification form* means a document executed by a short term rental owner, operator, managing agency or managing agent certifying that the short term rental unit complies with applicable zoning, building, health and life safety code provisions. No person shall allow occupancy or possession of any short term rental unit if the premises or owner thereof is in violation of any applicable zoning, building, health or life safety code provisions.

7.19.4.2 *Local contact person* means a local property manager, owner or any managing agency or managing agent of the owner authorized by an owner of a short term rental to take remedial action and respond to any notice of violation of this section, who resides in the County or no more than sixty (60) miles from the short term rental.

7.19.4.3 *Managing agency or agent* means a person, firm or agency representing an owner or owners of a short term rental or short term rentals, or a person, firm or agency owning a short term rental.

7.19.4.4 *Noise Regulations* means those regulations contained in the Code of Greene County, Georgia, Part II, Chapter 20, Article III.

7.19.4.5 *Operator* means a person who is a proprietor of a short term rental, whether in the capacity of owner, developer, managing agency, managing agent, lessee, sub-lessee, mortgagee in possession, licensee or any other capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal.

7.19.4.6 *Owner* means a person or entity that holds legal and/or equitable title to private property.

7.19.4.7 *Private* means intended for or restricted to the occupants and/or guests of his or her short term rental; not for public use.

7.19.4.8 *Short term* means a period of thirty (30) days or less.

7.19.4.9 *Short term rental* means one or more dwelling units, including either a single-family home, duplex or single multi-family residential unit rented for the purpose of overnight lodging for a period of not less than one night and not more than thirty (30) consecutive nights.

7.19.4.10 *Residential community* means a list of residential communities maintained by the County Zoning Administrator.

7.19.5 Short term rental business license requirements. No owner or operator of a short term rental shall rent that unit without first applying for and receiving a business license in accordance with Chapter 12 (Business Licensing and Regulations) of the Code of Greene County, Georgia. A separate business license shall be required for each short term rental unit (except where an operator manages multiple short term rentals in a residential community or multiple residential communities and applies for a business license for a single business license for such short term rental units). The licensing requirements of this section are in addition to any hotel/motel tax registration or any other permit or licensing requirements. However, at the discretion of the Zoning Administrator, the processing of such license required under this section may be combined with the processing of hotel/motel tax registration or any other related permit or license process administered by the County. The Zoning Administrator is authorized to prescribe forms and procedures for the processing of licenses under this section.

7.19.6 Agency. An owner may retain a managing agency, managing agent, operator, representative or local contact person to comply with the requirements of this section, including, without limitation, the licensing of the short term rental, the management of the short term rental and the compliance with the conditions of the license. The owner of the short term rental is responsible for compliance with the provisions of this section and the failure of an agent, representative, or local contact person to comply with this section shall be deemed noncompliance by the owner.

7.19.7 Application for short term rental business license. An application for a short term rental business license shall be filed with the County Clerk prior to use of the property as a short term rental. Applications shall be on the forms provided by the County which shall include all the required information listed in Section 12-7 (Applications) of the Code of Greene County, Georgia. Additionally, in accordance with Code Sec. 12-7(a)(2)(i), application for a short term rental business license must contain, at a minimum, the following information:

7.19.7.1 The name, address telephone number, and email address of the owner or operator of the short term rental for which the registration is being issued;

7.19.7.2 The name, address, telephone number, and email address of the agent, representative or local contact person for the owner of the short term rental;

7.19.7.3 The number of bedrooms and approximate square footage in the short term rental, and the maximum number of overnight occupants;

7.19.7.4 An executed Code compliance verification form acknowledging that all designated bedrooms meet all local building and safety code requirements;

7.19.7.5 A diagram and/or photograph of the premises showing and indicating the number and location of designated on-site parking spaces and the maximum number of vehicles allowed for overnight occupants. Landscaped areas of any kind shall not be counted as parking spaces;

7.19.7.6 Evidence of a valid hotel/motel occupancy tax registration certificate issued by the County for the short term rental. Application for such registration may be filed concurrently with the application for registration under this chapter;

7.19.7.7 Evidence of a valid sales tax certification number issued by the Georgia Department of Revenue for collection and remittance of sales tax;

7.19.7.8 Acknowledgment that the owner, agent and local contact person have read all regulations pertaining to the operation of a short term rental;

7.19.7.9 Certification of the accuracy of the information submitted, and agreement to comply with all conditions of the registration; and

7.19.7.10 Acknowledgement that the owner, agent, or local contact person has or will post, at the short term rental, the notice required in Section 7.19.10.

7.19.8 Application fee. An application for a short term rental business license shall be accompanied by an initial fee in accordance with Section 12-3 (Determination of Occupation Tax) of the Code of Greene County, Georgia.

7.19.9 License conditions.

7.19.9.1 All business licenses issued pursuant to this chapter are subject to the following standard conditions:

1. The owner or operator shall, by written agreement with the occupants, limit overnight occupancy of the short term rental to the specific number of occupants designated in the business license application, with the number of overnight occupants not to exceed two persons per bedroom meeting building code and life-safety code requirements, plus two additional persons per residence. A bedroom is a room that is designed to be, or meets the building code requirements to be, used as a sleeping room and for no other primary purpose. Every bedroom shall have an emergency escape or rescue exit and a minimum ceiling height as follows:

a. Each bedroom shall have at least one operable window or door for emergency escape or rescue that opens directly to the exterior of the unit. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor;

b. Bedrooms shall have a ceiling height of not less than eight feet, except as provided in this section. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half of the area thereof;

2. The owner or operator shall, by written agreement with the occupants, limit the number of vehicles of overnight occupants to the number designated in the business license application; with the number of vehicles of overnight occupants not to exceed the number of designated on-site parking spaces of the short term rental property;

3. The owner shall use best efforts to ensure that the occupants and/or guests of the short term rental do not violate Noise Regulations by notifying the occupants of the rules regarding short term rentals and responding when notified that occupants are violating laws regarding their occupancy. It is not intended that the owner, local contact person, managing agency or agent, or operator act as a peace officer or place himself or herself in harm's way;

4. The owner shall, by written agreement, limit the daytime visitors at any time in a vacation home rental to no more than six (6) persons in addition to the maximum overnight occupancy designated in the business license application;

5. The owner or operator of the short term rental shall post a copy of the business license and a copy of the conditions set forth in this section in a conspicuous place within the short term rental;

6. No business license issued under this section shall be transferred or assigned or used by any person other than the owner or operator to whom it is issued, or at any location other than the one for which it is issued; and

7. All business licenses issued under this section shall be valid for no more than one year, beginning on the date of issuance and expiring on December 31st of that year.

7.19.10 Sign and notification requirements. Each short term rental shall have a clearly visible and legible notice conspicuously posted within the unit on or adjacent to the front door, containing the following information:

7.19.10.1 The name of the managing agency, operator, agent, property manager, local contact person or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;

7.19.10.2 The maximum number of overnight occupants permitted to stay in the unit;

7.19.10.3 The maximum number of vehicles allowed to be parked on the property including a sketch of the location of the on-site parking spaces;

7.19.10.4 The maximum number of daytime visitors allowed in addition to the overnight occupants;

7.19.10.5 The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property unless it is placed in a curbside container, and that the curbside container shall not be placed sooner than 24 hours prior to the pickup day, and must be removed no later than 24 hours after pickup (If owner or operator provides daily trash removal then this notice is not necessary);

7.19.10.6 Notification that an occupant may be cited and fined for creating a disturbance or for violating this section or other provisions of the County Code;

7.19.10.7 Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this section; and

7.19.10.8 A statement advising the occupant that any failure to conform to the Noise Regulations is a violation of this section.

7.19.11 Parking. Short term rentals shall comply with all applicable County Code sections regarding parking. Owner or operator shall provide sufficient parking for guests such that all parking is accomplished on the property site. No parking to accommodate renters or invitees of short term rentals is permitted on the County right-of-way or along any roadways at any time.

7.19.12 Noise. All short term rentals shall comply with the Noise Regulations.

7.19.13 Local contact person.

7.19.13.1 Each owner or operator of a short term rental shall designate a local contact person who has access and authority to assume management of the unit and take remedial measures. An owner or operator of a short term rental who resides in Greene County or within 60 miles of the short term rental may designate himself or herself as the local contact person. The local contact person shall be required to respond to the location of the short term rental within one hour after being notified by the Sheriff or County Code Enforcement of the existence of a violation of this chapter or any other provision of this Code, or any disturbance requiring immediate remedy or abatement.

7.19.13.2 The owner or operator must immediately notify the Zoning Administrator in writing upon a change of local contact person or the local contact person's telephone number. This notification will be on forms prescribed by the Zoning Administrator. The new, revised business license will not extend the expiration date of the business license, and will be issued for a fee of \$25.00, and must be posted within ten (10) days of any change of local contact person information.

7.19.14 Other requirements. All short term rentals shall comply with the following:

7.19.14.1 An interconnected and hard-wired smoke detection and notification system is required and must be operable and in good working order at all times.

7.19.14.2 Any advertising of the short term rental unit shall conform to information included in the short term rental business license and requirements of this section, and shall include notification of the maximum occupancy, maximum number of vehicles allowed, and provisions regulating noise.

7.19.14.3 Compliance with these standards shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace and safety.

7.19.14.4 In addition to any requirements of this Section 7.19, any structure being operated as a short term rental, except those authorized under subsection 7.19.3.3, with a capacity for more than ten (10) overnight guests at a time shall be required to meet all local, state and federal access and life safety codes, rules and regulations that are otherwise applicable to hotels as defined in such codes, rules and regulations. In the event there is a conflict between the requirements of this Section 7.19.14.4 and such other codes rules or regulations, the requirement that is more protective of the public health, safety and welfare shall prevail.

7.19.15 Violation and penalties.

7.19.15.1 The requirements of this Section 7.19 shall become effective upon adoption, except that the requirement in subsection 7.19.3.2 requiring short term rentals to only exist in a Short Term Rental Overlay District shall not be enforceable until September 1, 2018. Violations shall be managed on each individual short term rental, and any resulting penalties shall only be assessed against such short term rental. The following conduct shall constitute a violation for which the penalties specified in subsection 7.19.15.2 of this section may be imposed, or the business license suspended or revoked:

1. The owner or operator has violated any of the provisions of this chapter; or
2. The owner or operator has failed to collect and remit to the County the hotel/motel occupancy tax as required by Article III of County Code.

7.19.15.2 The penalties for violations specified in Subsection 7.19.15.1 shall be as follows:

1. For the first violation within any 12-month period, the penalty shall be a warning notice of violation;
2. For a second violation within any 12-month period, the penalty shall be a fine not to exceed \$250.00;
3. For a third violation within any 12-month period, the penalty shall be a fine not to exceed \$1,000.00 and/or suspension of the business license (or suspension of the violating short term rental from the applicable business license) for a period not to exceed six months; if the period of suspension runs beyond December 31st, the owner or operator shall not be eligible to apply for renewal of the business license (or reinstatement of the violating short term rental under the business license) until expiration of the full suspension period; and
4. For a fourth violation within any 12-month period, the business license may be revoked (or removal of the violating short

term rental from the applicable business license) in accordance with the provisions of subsection 7.19.16 below. An owner or operator shall not be eligible to reapply for a business license (or reinstatement of the violating short term rental under the business license) for a period of 12 months from the date of revocation.

7.19.15.3 A short term rental that is determined to be operating without the necessary business license required under this section shall subject the owner to a penalty of \$1,000.00. Each day the unit is marketed or rented for overnight accommodation shall constitute a separate violation.

7.19.16 Procedure for imposition of penalties/suspension/revocation. Penalties, including a notice of violation, shall be imposed, and business licenses shall be revoked (or suspension or removal of a short term rental from the applicable business license), only in the manner provided in this subsection.

7.19.16.1 Initial violations shall result in a notice of violation being directed to the owner or operator, the local person and property manager/agent designated in the business license application as the local contact person. The local contact person shall be responsible for contacting the occupant to correct the problem within sixty (60) minutes. This local contact person is required to visit the property to confirm compliance with this chapter, unless compliance can reasonably be confirmed without visiting the property.

7.19.16.2 If non-compliance with provisions of this section reoccur, the Zoning Administrator or designee shall conduct an investigation whenever there is reason to believe that an owner or operator has failed to comply with the provisions of this section. The investigation may include an inspection of the premises, review of law enforcement/security reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings and video all of which may constitute evidence of a violation. Should the investigation support a finding that a violation occurred, the Zoning Administrator or designee shall issue written notice of the violation and intention to impose a penalty and/or suspend or revoke the business license (or suspend or remove a short term rental from the applicable business license). The written notice may be served either by first class mail, by commercial overnight delivery, by personal service on the owner and operator or agent, or by any other reasonable means of delivery, including email, and shall specify the facts which, in the opinion of the Zoning Administrator, constitute grounds for imposition of the penalties and/or suspension or revocation, and specify that the penalties will be imposed and/or that the business license will be suspended or revoked (or suspension or removal of a short term rental from the applicable business license) fifteen (15) calendar days from the date of the notice unless the owner and/or operator files with the Zoning Administrator a request for an appeal hearing before the Board of Commissioners in accordance with subsection 15.7 of the Zoning Ordinance of Greene County, Georgia. In considering such

appeal, the Board of Commissioners shall determine whether the Zoning Administrator has erred in his/her interpretation and/or enforcement of this section.

7.19.16.3 Except as otherwise provided in this section, violation of this section will be enforced in accordance with subsection 15.6 and 15.7 of the Zoning Ordinance of Greene County, Georgia.

7.19.17 Business license and fees not exclusive. The business license and fees required by this section shall be in addition to any license, permit or fee required under any other provision of this Code, or other local or state law. The issuance of any business license pursuant to this section shall not relieve the owner of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of the short term rental or the property on which it is located.

7.19.18 Penalty. In addition to the penalties described above, any person violating the provisions of this section by operating a short term rental without a valid business license may be prosecuted according to the general penalties described in Chapter 1, Sec. 1-8 of this Code.

7.19.19 Enforcement. The Zoning Administrator or his or her designee is hereby authorized and directed to establish such procedures as may from time to time be required to carry out the purpose and intent of this section. Greene County Code Enforcement Officers, as well as the Sheriff of Greene County or his or her designee shall also have authority to enforce this section.

7.19.20 Violations by occupants of short term rentals. Any violation of the provisions of this section shall be enforced pursuant to this section; Chapter 1, Sec. 1-8; Chapter 20; and any other applicable Code sections. Enforcement actions may be brought against occupants of a short term rental for violations of this section and any other provision of this Code notwithstanding that this section may also make the owner or operator of the short term rental responsible for the conduct constituting the violation.

Unincorporated Greene County Communities List

Arrowhead Road***
Bayside
Beau Rivage
Beaverdam & West Place
Bradford Cove***
Buena Vista Dr***
Cannon's Point
Creek Side Farms
Deerfield & Sandy Creek
Del Webb
Double Branches
Eagle View
Eagles Landing
Emerald Shores
Fleur De Lac Lane***
Forest Glen
Granite Cove
Harbor Club
Hidden Point
Indian Woods
Merritt Meadows (Meadow Dr & Meadow Ln)***
Northwoods
Oconee Farms
Oconee Heights
Oconee Landing
Parks Mill Crossing
Parks Mill Trace (Port Armor North)
Pioneer Woods, Indian Hills & Stoneridge Circle
Point Royal
Quail Trail***
Reynolds Lake Oconee
Reynolds Landing
Richland
Robinson (Armour Rd)***
Rockport Lane***
Rocky Creek
Salem Plantation
Shady Oaks Lane***
Sunset Bluff
Swords Road area (immediately south of US 278)
Traditions at Carey Station
Twin Rivers
Vintage Club
Whispering Pines
White Oak Plantation

***Note that the community includes all parcels that adjoin the listed road name.

The limits of the listed communities where clarification may need to be sought shall be determined by the Zoning Administrator. Resulting decisions of the Zoning Administrator with respect to the limits of the listed communities shall be appealable to the Board of Commissioners.