

MEMORANDUM

Agenda Item No. 11(A)(5)

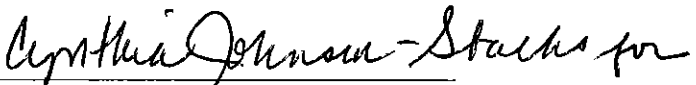
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to share information pertaining to violations of the Miami-Dade County Code for vacation rental properties with the applicable peer-to-peer or platform entities so that such entities may appropriately assist in addressing such violations

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(5)

Veto _____

11-7-17

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SHARE INFORMATION PERTAINING TO VIOLATIONS OF THE MIAMI-DADE COUNTY CODE FOR VACATION RENTAL PROPERTIES WITH THE APPLICABLE PEER-TO-PEER OR PLATFORM ENTITIES SO THAT SUCH ENTITIES MAY APPROPRIATELY ASSIST IN ADDRESSING SUCH VIOLATIONS

WHEREAS, in recent years, short-term vacation rentals made available through home-sharing peer-to-peer or platform entities, such as Airbnb and HomeAway, have become increasingly popular in local communities such as Miami-Dade County; and

WHEREAS, short-term vacation rentals are appealing to many in part because they may provide tourists with more economical options for housing, and may allow local residents to supplement their incomes by renting out their homes, condominiums, or apartments, or some portion thereof, from time-to-time; and

WHEREAS, nevertheless, short-term vacation rentals also may pose concerns related to safety, security, noise, traffic, and overall quality of life in neighborhoods that have traditionally been residential in character; and

WHEREAS, peer-to-peer or platform entities such as Airbnb have expressed a willingness to assist local governments in responding to complaints and violations concerning vacation rentals listed on their platforms, including by removing problematic properties from their platforms when appropriate; and

WHEREAS, it is desirable to ensure that peer-to-peer or platform entities have the necessary information to respond to problematic vacation rentals on their platforms; and

WHEREAS, one way that local governments can assist peer-to-peer or platform entities in this endeavor is through sharing of information when vacation rentals are cited for code violations; and

WHEREAS, accordingly, this Board wishes for such information to be shared with the appropriate peer-to-peer or platform entities, as more particularly set forth below,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor's designee to share information pertaining to violations of the Miami-Dade County Code for vacation rental properties with the applicable peer-to-peer or platform entities so that such entities may appropriately assist in addressing such violations. When a vacation rental property has been cited by Miami-Dade County Code Enforcement for violating the Code, the County Mayor or County Mayor's designee shall in a timely manner provide notice of the violation and the address of the subject property to any known peer-to-peer or platform entities on which the vacation rental property is listed. Nothing in this resolution shall be deemed to create any new legal duty or obligation upon Miami-Dade County from which liability may arise, and the County shall not be liable for failing to share any particular information with a peer-to-peer or platform entity.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley

