

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )  
CITY OF TRAVELERS REST )

ORDINANCE NO. O-18-20

**AN ORDINANCE TO BE APPLIED ONLY TO THE USE OF RESIDENTIAL DWELLING UNITS FOR SHORT TERM RENTALS.**

**Purpose**

The City of Travelers Rest is committed to working to protect the traditional quality of life and character of residential neighborhoods. Concerns about permitting short-term residential rentals include, but are not limited to, concerns about increased traffic, noise, trash, and parking needs; safety issues created by increased traffic and population density; residences potentially standing empty for long periods for time; negative impacts on the volume of available and affordable family residential housing stock; and other undesirable changes to the traditional nature of the city's neighborhoods. This article provides a registration and inspection process governing all short-term residential rentals, for the purposes of balancing the protection of existing residential neighborhoods and residents with allowing a limited use of residences for short-term residential rentals, and for implementing life safety standards.

**Definitions.**

**Dwelling** – any building used exclusively for human habitation, including any permitted home occupation but excluding hotels, motels, and rooming and boarding houses.

**Improved surfaces.** areas surfaced with asphalt, concrete, bituminous or other alternative paving material, including grass pavers, porous concrete, and other similar materials, subject to approval by the city. Gravel and other materials similar to gravel are generally not allowed except in areas used for occasional parking, again only as permitted by applicable zoning requirements.

**Owner-occupied.** A dwelling unit is owner-occupied if a dwelling unit owner uses the dwelling, or part thereof, as his or her primary residence.

**Rental day** means any day on which a dwelling or any part thereof is rented for any portion of the 24-hour period beginning at 12:00 a.m. and ending at 11:59 p.m. Unrented hours in a 24-hour period cannot be added to any other day to extend the number of days on which a dwelling may be rented as a short-term rental during a calendar year.

**Short-term residential rental** means the legally permitted accessory use of a dwelling unit or portion thereof for a fee or other compensation for a period less than 30 consecutive rental days. Short-term residential rentals do not include hotels, motels, bed and breakfast establishments, or inns that are subject to and compliant with the city's business license and other applicable Code requirements, nor does the term include rentals longer than 30 days.

**Short-term tenant** means any person, other than a legal owner, who pays a fee or other compensation in order to occupy a dwelling for 29 or fewer rental days, as defined by this article.

**Requirements.**

- a. *Registration.* Property owners must register dwelling units with the city prior to renting out a dwelling unit or any part of a dwelling unit for a short-term residential rental. All of the legal

owners of a dwelling unit must complete and sign a form provided by the city for that purpose and pay the annual fee.

- b. The owners must provide information concerning the dwelling location, ownership, contact information, and the number of short-term rental units in the dwelling, and must agree to comply with the requirements of this article. The city may request additional registration information, as it deems necessary.
- c. When registering, the owner(s) must provide the city with the number of days each dwelling or any part of the dwelling was rented as a short-term residential rental during the preceding calendar year.
- d. Registrations are non-transferrable. If ownership of a registered dwelling changes, the new owner(s) must complete a new registration form before renting out any part of the dwelling for a short-term rental and must pay the annual fee.
- e. If a residence is not owner-occupied, the owner(s) must provide the name of a person, firm, or corporation located within a 50-mile radius of the City of Travelers Rest responsible for the care and maintenance of the residence and who can be contacted in case of emergency or in case issues arise.
- f. Registration permits are exempted if the property is rented no more than two times per year for a total period of no more than two weeks (14 days).
- a. *Annual registration and fee.* The annual registration fee is \$250.00 per dwelling unit regardless of the point in a calendar year that a registration is obtained. The registration year runs from April 15 to April 14 of the following year. All short-term rental registrations expire on April 14 each year. No registration fees are to be prorated or refunded.
- b. *Signage and proof of registration.* No dwelling unit used as a short-term rental in a residential district may display a sign advertising that rental.
- c. *Occupancy.* Maximum occupancy for a short-term residential rental dwelling is two persons per bedroom or 8 guests total, whichever is less.
- d. *Property owner(s), persons in charge, and tenants.* Registration of a short-term rental residence will not be allowed if the residence is not owner-occupied, or if the owners of a non-owner-occupied residence have not identified a person in charge. A person in charge, who may or may not be an owner, must reside in or have an office within a 50-mile radius of the city and be able to act as the agent for the owner(s). The city must be notified in writing within 14 days of the change if there is a change of ownership or in the identity of the person in charge.
- e. Owners and persons in charge must maintain all short-term rental residences under their ownership and/or control in compliance with all applicable city ordinances and regulations.
- f. Owners, persons in charge, and tenants shall be liable for violations of laws and/or ordinances, including, but not limited to, occupancy violations, at rental residences under their ownership, control, or occupancy.
- g. *Parking.* Off-street parking spaces and vehicular use areas are subject to zoning requirements. All parking for tenants must be contained on site and only on improved surfaces. During rentals, no parking for owners, occupants, tenants, or guests may be located on unimproved surfaces. Unimproved surfaces include, but are not limited to, grassed, wooded, dirt, and mulched surfaces, as well as any other parking surfaces not in compliance with applicable City Code requirements.
- h. *Safety and damages.* Property owners are responsible for their own safety and insurance needs, as well as the safety and sanitation needs of their tenants. By providing a registration process allowing property owners to conduct short-term rentals of dwellings and/or by

providing a compliance inspection service, the city is not assuming responsibility for safety or liability related to rental activities.

- i. *Life, safety and sanitation requirements.* For purposes of this article, the following standards apply to short-term residential rentals and must be met prior to being issued a registration:
  1. *9-1-1 numbers* - Minimum three inches tall and readily visible and legible from the street.
  2. *Trash cans and storage of solid waste* - One trash cart and one recycling cart with a designated storage location for the roll cart behind the front building line.
  3. *Property Maintenance* - Property exteriors shall comply with all adopted city codes.
  4. *Doors and windows* - Individual dwelling units must have access directly to the outside or to a common corridor. Sleeping rooms must have at least one operational window for egress. Windows in first floor sleeping rooms shall have a minimum opening of 5.0 square feet. Windows in second floor sleeping rooms shall have a minimum opening of 5.7 square feet.
  5. *Stairs, rails, porches, decks* - A graspable handrail is required for four or more stairs whether indoors or out. Guardrails are required on decks over 30 inches above grade, must be a minimum of 36 inches in height and not have any openings between pickets or rails that exceeds four inches. Porches and decks shall not have apparent structural damage or broken or missing rails or steps. No exposed risers are allowed on stairs over 30 inches in height whether indoors or out.
  6. *Swimming pools/spas* - Swimming pools and spas shall be enclosed and include a self-closing and self-latching gate of 48 inches minimum height.
  7. *Electrical service and electrical hazards* - Electrical service shall be provided through the public service provider. All bathrooms, exterior outlets, non-dedicated kitchen outlets within six feet of kitchen sink shall be ground-fault protected. Missing or cracked plates on switches or outlets shall be repaired.
  8. *Ceilings* - Habitable spaces and hallways must have a clear ceiling height of not less than seven feet. Ceilings shall not have any apparent visual defects, evidence of mold or mildew, or holes with exposed wiring or insulation.
  9. *Walls* - Walls shall not have any apparent visual defects, evidence of mold or mildew, or holes with exposed wiring or insulation.
  10. *Floors* - Floors shall not have any apparent visual defects, evidence of mold or mildew, or soft spots.
  11. *Sink* - In kitchen with hot and cold running water. Hot water to be at least 85 degrees and not to exceed 120 degrees.
  12. *Stove or range* - Stoves and ranges shall be free of apparent hazards. Combustible material must be at least 30 inches above the heat source. Anti-tip device must be installed for freestanding units.
  13. *Toilet* - Flushing and leak free in a room affording privacy.
  14. *Wash basin* - Operational and leak free equipped with hot and cold running water. Hot water to be at least 85 degrees and not to exceed 120 degrees.
  15. *Tub or shower* - Must be operational and equipped with hot and cold running water in a room affording privacy. Hot water to be at least 85 degrees and not to exceed 120 degrees.
  16. *Ventilation in bathroom* - Bathrooms must have a window or mechanical ventilation and not have an evidence of mold or mildew.

17. *Smoke detectors* - Every bedroom and adjoining hallway as well as the common areas shall be equipped with an operational, approved listed smoke detector. In units containing more than one story, detectors are required on each story.
  18. *Fire extinguisher* - Minimum five-pound ABC fire extinguisher that is fully charged and not past expiration date.
  19. *Evacuation plan* - Each room used for sleeping shall have an evacuation plan posted on the door.
  20. *Heating equipment* - Operational heating facilities capable of maintaining a room temperature of 70 degrees.
  21. *Evidence of infestation* - Premises shall appear free of rats, mice, roaches or other vermin.
  22. *Interior stairs and common halls* - Stairs and halls shall not have apparent damage or missing rails or steps. No exposed risers are allowed on stairs over 30 inches in height whether indoors or out.
  23. *Carbon Monoxide Detector* - Carbon Monoxide Detector will be required and properly installed in all units that have attached garage and/or gas appliances.
- g. *Compliance inspections.* Properties may enter into the program at any point. However, annual compliance inspections of short-term residential rentals shall begin January 1, and will be required each year thereafter. Short-term rental inspections will be conducted from January 1 to April 14 each year. Property owners must arrange with the city for on-site inspections of short-term rental properties prior to the use of a dwelling for short-term rental purposes. Properties that do not pass inspection may not be used for short-term rentals until successfully completing inspection. Properties that do not pass inspection must correct all defects noted on the inspection report and schedule a reinspection of the property.
- h. *Accommodations, sales, and income taxes.* There are federal, state, county, and/or city laws and rules for collection of sales, accommodations, and income taxes. Owners, operators, lessors, occupants, and/or tenants of dwellings used for short-term rentals are solely responsible for payment of all applicable taxes.

### **Violations.**

Depending on severity, violations of this article may result in immediate revocation of the registration of a dwelling unit or dwelling units. Absent the need for immediate revocation, a formal written warning shall be issued for a first violation. However, if there is an additional violation at the same dwelling within a 12-month period immediately following a warning, registration for that dwelling shall be revoked for 12 months to begin with the start of the next calendar year. Warnings, citations, and revocations may be issued to dwelling owners, operators, lessors, agents, occupants, tenants, and/or guests, depending on the nature of the violation. Dwelling unit owners are ultimately responsible for the conduct of their dwelling operators, lessors, agents, occupants, tenants, and guests, regardless of whether the owners are present at the dwelling.

Violations include, but are not limited to:

1. Providing false information about a dwelling or short-term rental to the city;
2. Failure to have a valid registration for any dwelling at a time when it is used in whole or in part as a short-term rental;
3. Violation of any part of this article; and

4. Violation of any applicable ordinance or laws by owners, operators, lessors, agents, occupants, tenants, or guests of short-term rentals (examples include, but are not limited to, violations of ordinances and laws concerning noise, disorderly conduct, littering, underage drinking, drug offenses, public drunkenness, traffic and parking, and all other criminal and nuisance offenses).

**penalties.**

Revocation of registration - If it is determined a registration should be revoked, the city administrator or authorized designee shall notify the property owner(s) of the decision by written notice sent by certified mail or delivered in person. The notice shall set forth the effective dates of any revocation, the reason for any revocation, the penalties that may be imposed for violation of any revocation, and any applicable appeal rights, deadlines, and filing procedures. Notification will be sent to the property owner at the contact address provided in the registration application.

Appeals shall be submitted in writing with within 10 days of receipt of notice. All appeals of the Administrators decision shall take place before City Council for the purpose of determining whether to revoke registration.

Unless otherwise provided herein, upon conviction, the violation of this section shall be punishable by a fine or imprisonment as set forth in Section 1.12.510 of this code.

**Severability, savings, and effective date.**

- a. *Severability.* A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part, of this article shall not affect the validity of the remaining parts of the article.
- b. *Savings.* Any enforcement action which is pending on the effective date of this article and which arose from a violation of an ordinance repealed by this article, or a prosecution which is started within one year after the effective date of this article arising from a violation of an ordinance repealed by this article, shall be tried and determined exactly as if the ordinance had not been repealed.
- c. *Effective date.* This article is effective on 10/15/2020

DONE, RATIFIED AND PASSED this 15th day of October, 2020.

Brandy Amidon  
Brandy Amidon, Mayor

ATTEST:

Charlene Carter  
Charlene Carter  
City Clerk, Treasurer



REVIEWED: *Eric Vinson*

Eric Vinson  
City Administrator

Introduced: Brantly Vest  
First Reading: 09/17/2020  
Second Reading: 10/15/2020