

CITY OF CLEARWATER



Residential Rental Housing Educational Materials



Rental Housing – Table of Contents

	PAGE:
Greeting Letter.....	3-4
Ordinances.	5-8
Development Code Standards:	
Address numbering & Signage.....	9
Debris.....	10
Fence Maintenance.....	10
Graffiti.....	11
Grass & Overgrowth / Landscaping.....	11-12
Inoperative Vehicle.....	12
Outdoor Lighting.....	13-14
Outdoor Storage.....	14
Property Maintenance Standards.....	15
Residential Parking Restrictions.....	15
Housing Code Standards	
Electrical Facilities.....	17
Fire Protection / Smoke Detectors.....	17
Heating.....	18
Kitchen / Sanitary Facilities.....	18
Light and Ventilation.....	18
Pest Extermination.....	18
Space Requirements.....	18
Stairs and Porches.....	18
Walls, Roofs, Ceilings & Floors.....	18
Windows and Doors.....	19
Business Tax Fee Schedule.....	19
Penalties.....	19-20
Contacts.....	21



COMMUNITY RESPONSE
TEAM

CITY OF CLEARWATER

DEVELOPMENT & NEIGHBORHOOD SERVICES DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4720 FAX (727) 562-4735

Greetings Rental Property Owner,

In response to a public desire for a safe, clean and viable community, a team of civic, public and rental industry professionals worked together to formulate an ordinance and educational program to improve the quality of housing in Clearwater.

As a result of this joint effort, on April 4, 2002, the Clearwater City Commission adopted Ordinance 6932-02 relating to **RESIDENTIAL RENTALS** creating Article 3, Division 23 of the Community Development Code.

The purpose of the ordinance is to establish a system in which all rental properties are licensed by the City and certified as meeting certain minimum housing and development standards. The ordinance also provides for inspection, enforcement proceedings and revocation of the occupational license if the provisions of Ordinance 6932-02 are not met.

The main points of the ordinance are listed below:

- All rental property, including single-family units, must now have an occupational license.
- All license applications shall include a local contact or representative with a current telephone number and local address (Pinellas, Hillsborough, Pasco, Manatee or Sarasota).
- If any of the contact information should change, the City shall be notified in writing within 30 days of the change.
- Each property owner shall file a Residential Rental Compliance Notice Requirement of Minimum Applicable Standards form with the Development Services Department acknowledging receipt of housing and development standards. Attached to this letter are educational materials regarding each of these codes.
- Courtesy visits to rental properties may be complaint-driven or inspector-initiated. If the visit reveals violation of 3 or more of the code provisions, it may trigger an inspection of the exterior and interior of the property.

BILL JONSON, VICE-MAYOR
HOYT HAMILTON, COUNCILMEMBER

FRANK HIBBARD, MAYOR

3

JOHN DORAN, COUNCILMEMBER
CARLEN A. PETERSEN, COUNCILMEMBER



"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

- If one or more properties are owned or managed by one person or firm a random sampling of the properties may be inspected.
- If there are 50 or more units and the inspector finds one or more major, life safety or habitability violations in 5% of the units the inspector may ask to see up to 100% of the units.
- There is no charge for the courtesy visit or first inspection. A fee of \$50.00 per unit inspected per re-inspection shall be assessed if any violation still exists after allowance of a reasonable time period for compliance.
- Failure to obtain or renew an occupational license, or failure to maintain the property may result in penalties to be administered either through the City's Municipal Code Enforcement Board or Pinellas County Court. If the provisions of the ordinance are not met, an occupational license may be denied or revoked.

Every property owner is responsible for the condition of his/her property. If you should need financial assistance to maintain or improve your property, the following resources may be able to help: The **City of Clearwater Economic Development and Housing Department**, Telephone Number (727) 562-4220 and **The Florida Housing Finance Corporation**, Telephone Number (850) 488-4197. For other inquiries about the residential rental regulations, please contact the City's Development Services Department at (727) 562-4567.

Sincerely,



Jeff Kronschnabl
Development & Neighborhood Services Director

City of Clearwater
Applicable city ordinances:

Article 3, Division 23, of the Community Development Code of the City of Clearwater - Adopted April 4, 2002

Section 3-2301. Applicability.

This Division shall be applicable to the rental of all attached dwellings, detached dwellings, dwelling units, and accessory dwellings, as such terms are defined in Section 8-102, within the City of Clearwater, but shall not apply to hotels, motels, resort condominiums, transient apartments, roominghouses, resort dwellings, or bed and breakfast inns as defined in Florida Statutes Section 509.242, nor to manufactured housing as defined in Florida Statutes Section 320.01 (2) (b).

Section 3-2302. Business Tax Receipt required.

A Business Tax Receipt shall be required for all rentals set forth in Section 3-2301. Licensing procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such Business Tax Receipt shall be as set forth in Code of Ordinances Appendix A, Division XVIII.

Section 3-2303. Local representation for Business Tax applications for residential rentals.

Business Tax applications for residential rentals shall include a local contact or representative. Such contact or representative shall maintain a current working local telephone number and current local address, not a public or private post office box, and provide notification thereof of any changes to the city within 30 days for a physical location and telephone number within one of the following counties in Florida: Pinellas, Hillsborough, Pasco, Manatee or Sarasota.

Section 3-2304. Residential Rental Compliance - Notice Requirements of Minimum Applicable Standards Form acknowledging notice of housing and development standards.

Each owner of real property to which this Division is applicable shall receive notice of and shall file, with an initial business tax application or, for existing licensees, by October 1 of each occupational licensing year, a notice requirements of minimum applicable standards form with the Development Services Department acknowledging receipt of housing and development standards contained in Section 28.82, the Standard Housing Code, as adopted by Code of Ordinances Sections 49.01 and 49.02, and the Development Standards, Divisions 8, 12, 13, 14, 15, 18, contained in Community Development Code, Article 3.

Section 3-2305. Inspections; Noncompliance Inspection Fee.

Complaint-driven or inspector-initiated inspections of properties subject to this Division shall be conducted by the city to ensure that such properties are in compliance with the provisions of the Standard Housing Code and the city's Development Standards; provided, however, this provision shall not be interpreted

as authorizing the city to conduct inspections of properties without the consent of the owner or occupant or without a warrant.

If the inspection of a property reveals violations of three or more of the provisions of Section 28.82, the Standard Housing Code, or the city's Development Standards contained within Division 8, 12, 13, 14, 15, and/or 18, or a combination thereof, this may trigger a code inspector's request with the consent of the owner/occupant or designee, for an inspection of the interior of the property and/or a random sampling of the properties involved which may include multiple units.

For inspections involving multiple units at one location and upon consent of owner or designee or issuance of inspection warrant, a random sampling of the properties will be inspected as follows:

1 – 4 units, all units

5 – 10 units, 50% of units

11 – 29 units, 20% of units

30 – 49 units, 15% of units

50 or greater, if one location, 5% of the units with a maximum of 20 units

In the case of 50 or greater units, if the inspector finds one or more, major, life safety or habitability violations in 5% of the units, the inspector may ask to see more units up to a total of 100% of the units in the community.

The Development Services Director shall assess a noncompliance inspection fee of \$50.00 per unit inspected per re-inspection if any violation still exists after allowance of a reasonable time period for compliance.

Section 3-2306. Penalties.

Failure to obtain or maintain a Business Tax Receipt as required by Section 3-2302 or failure to maintain a property in compliance with the code requirements set forth in Section 3-2304, shall subject the violator to enforcement proceedings and penalties in accordance with Article 7 of the Community Development Code and with Code of Ordinances Section 1.12. The provision of this Division shall provide an additional means of enforcement, but shall not prohibit the city from taking enforcement action under other code provisions.

Section 3-2307. Revocation or Denial of Business Tax Receipt.

In addition to the enforcement proceedings and penalties provided for in Section 3-2306, failure to comply with the provisions of this Division shall be considered just cause for denial of the issuance of an Business Tax Receipt for the subject property, and for revocation of an existing Business Tax Receipt pertaining to the subject property in accordance with the procedure set forth in this Section. Prior to revocation or denial, the city manager or his/her designee shall issue a Notice of Revocation or Denial notifying the residential rental licensee of the city's intent to revoke or deny. The Notice shall be sent certified mail, return receipt requested, to the last known address for the residential rental licensee. Within ten calendar days from the date of mailing of said notice, the license shall be automatically denied, revoked or nonrenewable, unless the residential rental licensee files with the city clerk a written statement setting forth the grounds for an appeal. Upon the filing of such written statement, the city clerk shall notify the city manager, who shall schedule and conduct a hearing before the city manager or

designee within 30 calendar days from the date the written statement was filed. The residential rental licensee shall be given written notice of the hearing by certified mail, return receipt requested, and shall have an opportunity to present evidence, cross examine witnesses, and be represented by counsel. The city shall have the burden of proof by a preponderance of the evidence, and the city manager or designee's decision shall be based solely on the evidence presented at the hearing. Within ten calendar days of the hearing, the city manager or designee shall file with the city clerk's office and serve on the residential rental licensee a written decision containing findings of fact and conclusions of the legal basis for the decision. The decision shall become final unless, within 30 days of the date the city manager or designee files the decision with the city clerk, the residential rental licensee files a petition for writ of certiorari in the circuit court for Pinellas County. The filing of a pleading seeking judicial review shall automatically stay the revocation until judicial review has been exhausted unless the city obtains injunctive relief. Any residential rental business taxpayer who has had a Business Tax Receipt revoked or denied under this Section or under Code of Ordinances Section 29.41 shall not be eligible to submit an initial or renewal application for license to conduct residential rental business on the subject property in the city until one year has expired from the date the license was revoked or denied by the city or, if an appeal is taken while the business continues in operation, until one year from the later of the date of the last decision or order affirming the revocation or denial or the date the business ceases operations in compliance with the decision or order.

Article 3, Development Standards, Division 9, General Applicability Standards is hereby amended by adding a new provision, Section 3-918 - Adopted on April 17, 2003

Section 3-918. Prima Facie Evidence of Certain Uses in Residential Zoning District.

Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than thirty-one (31) days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than thirty-one (31) days or one calendar month, whichever is less, shall include but not be limited to one or more of the following:

- a. Registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishment);
- b. Advertising or holding out a dwelling unit for tourist housing or vacation rental use;
- c. Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than thirty-one (31) days or one calendar month, whichever is less; or

- d. Use of an agent or other third person to make reservations or booking arrangements.

Section 2. Article 8. Definitions and Rules of Construction, Section 8-102, Definitions, is hereby amended by revising the definition of dwelling unit as follows:

Dwelling Unit means a building or portion of a building providing independent living facilities for one family including provision for living, sleeping, and complete kitchen facilities. A dwelling unit located in any residential zoning district shall be used only for a residential use, unless otherwise specified.

Section 3. Article 8, Definitions and Rules for Construction, Section 8-102, Definitions, is hereby amended by revising the definition of overnight accommodations as follows:

Overnight Accommodations means any use that provides transient lodging accommodations to the public, including interval ownership. Allowable accessory uses shall be integral to the principal use and may include, but shall not be limited to, offices, restaurants and retail provided such uses are integral to the primary use.

Section 4. Article 8, Definitions and Rules for Construction, Section 8-102, Definitions, is hereby amended by revising the definitions of residential use as follows:

Residential Use means a permanent place of residence for a family. A residential use located in any residential zoning district shall not include rentals for periods of less than thirty-one (31) days or one calendar month, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than thirty-one (31) days or one calendar month, whichever is less.

Section 5. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 6. This ordinance shall take effect immediately upon adoption.

Rental Housing Educational Information

Frequently Asked Questions

Development Code Standards:

ADDRESS NUMBERING AND SIGNAGE

What are the address numbering requirements? (Section 28.82)

- Address numbers are required for public safety reasons. Residential properties must have numbers at least 3 inches high and the numbers must be clearly visible from the street.
- Script and numbers on the curb do not meet the requirements. Script takes too long to read in an emergency and/or may be partially blocked. Numbers on the curb may not be visible if a vehicle is parked there, or if there is debris, or if the numbers are faded.

What is the code on residential signage?

Residential signs that require sign permits are:

- One freestanding entry sign for each subdivision entrance –
- maximum sign area is 24 square feet and max height is 6 feet.
- One freestanding identity sign for each multi-family development entrance – maximum sign area is 12 square feet and max height is 6 feet. A freestanding identity sign shall include the address of the property on which the sign is located.

Signs that do not require a sign permit are:

- Address sign – no more than 2 square feet per parcel of land.
- Holiday decorations.
- Construction sign - may be located on a parcel proposed for development during the time a building permit is active or one year (whichever is less). Sign may be up to 16 square feet for residential or 24 square feet for multifamily land.
- Flag – one per detached dwelling unit; 3 additional flags per parcel of land used for multifamily residential purpose.
- Garage Sale - one of no more than 4 square feet on the property on which the sale is happening. These signs may be up only on the day(s) the sale is being conducted (2 sales no longer than 3 days each per year are allowed). Also, 2 directional signs of no more than 4 square feet of total sign face area may be on other properties.

- Political Yard Sign – one per political candidate or issue for each yard frontage. Up to 6 square feet. May be up 60 days before election and are to be removed within 7 days after the election.
- Real Estate Sign – one per parcel, no more than 6 square feet of area.
- Safety or Warning Signs – no more than 4 square feet per sign.

NO SIGNS MAY BE PLACED ON THE RIGHT-OF-WAY.

DEBRIS

What is a debris violation? (Section 3-1503.B.5 and 7)

- An accumulation of debris on a property is considered a violation. Debris means: discarded household items, inoperative machinery or motor vehicles, boats, trailers, household appliances (such as refrigerators, freezers, stoves, dishwashers, washers, dryers), refuse, garbage, rubbish, trash, junk, used scrap, lumber, steel, plumbing fixtures, insulation, barrels, boxes, drums, piping, glass, iron machinery, excelsior or plastic.

What happens if my property is in violation?

- First, if there is a violation, an inspector will give you courtesy notification, talk through the issues with you and give you a reasonable amount of time to correct the violation,
- If the violation continues past the courtesy time period, the property will be posted for approximately 10 days. A compliance date will be on the notice.
- If the violation is not corrected by the compliance date, the inspector will contact the City's lot clearing contractor and the debris will be removed from the property.

Are there any fines?

- An administrative fee of \$200 will be charged to the **property owner**, *not* the tenant. Also, the lot clearing contractor fee will be charged to the property owner.
- If the bill is not paid, it will become a lien on the property.

FENCE MAINTENANCE

What are the fence maintenance requirements? (Section 3-808)

- Fence must be in vertical position.
- Rotten boards must be replaced.
- Support posts or footers must be solidly attached to the ground.
- Fence stringers must be securely attached to the support posts and face of the fence.

- Each fence must be securely attached to the support posts and fence stringer.
- Fence or wall surfaces must be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

GRAFFITI

What is the code on graffiti? (Section 3-1504)

- Graffiti must be removed within 10 days of it's discovery on any property in the City.

What happens if there's graffiti on my property?

- We realize that you didn't put the graffiti on the property, but the graffiti needs to be eliminated as quickly as possible so as to keep Clearwater a clean, safe, place to live. Please report all graffiti to the Police Department at 727-562-4369 or to Community Response Team at 727-562-4720.

GRASS AND OVERGROWTH/LANDSCAPING

What is a grass and overgrowth violation? (Section 3-1503.B)

- Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials that are over 12" high.

What happens if my property is in violation?

- First, if there is a violation, an inspector will give you courtesy notification, talk through the issues with you and give you a reasonable amount of time to correct the violation.
- If the violation continues past the courtesy time period, the property will be posted for approximately 10 days. A compliance date will be on the notice.
- If the violation is not corrected by the compliance date, the inspector will contact the City's lot clearing contractor and the debris will be removed from the property.

Are there any fines?

- An administrative fee of \$200 will be charged to the **property owner**, *not* the tenant. Also, the lot clearing contractor fee will be charged to the property owner. There are additional charges for removal of debris; edging sidewalks and curb lines, and hedge and / or brush trim from right-of-way.
- If the bill is not paid, it will become a lien on the property.

What is the code for landscaping? (Section 3-1502.H)

- Any area that is not covered by a building, structure, walkway, or driveway must be landscaped with grass or other appropriate ground cover.
- All landscaping must be kept alive and healthy and meet site plan requirements where applicable.

INOPERATIVE VEHICLE

What is an inoperative vehicle? (Section 3-1503.B.6)

- A car, truck or boat that does not display a current license tag may not be stored or parked on a residential property, except in a carport or a garage.
- An inoperative vehicle is also one that does not run, or cannot be driven for any reason including having a flat tire or missing a headlight.

What happens if my property is in violation?

- An inspector will give you courtesy notification, talk through the issues with you and give you a reasonable amount of time to correct the violation.
- If the violation continues past the courtesy time period, the vehicle will be posted with a Notice of Violation. A compliance date will be on the notice.
- If the violation is not corrected by the compliance date, the inspector will contact the City's towing contractor and the vehicle will be removed from the property at the property owner's expense.
- The inspector will leave a doorhanger with the name of the towing contractor and how to contact them.

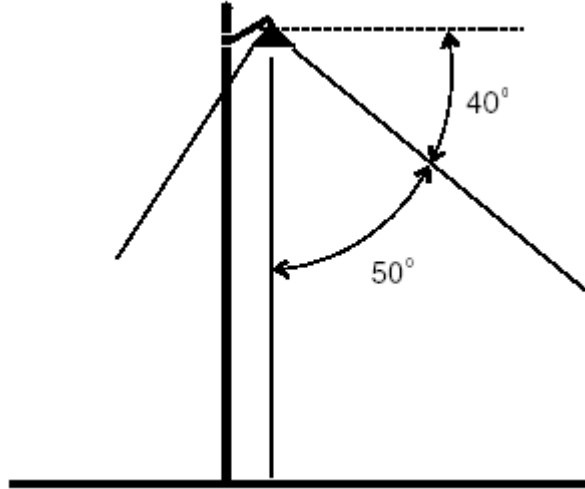
Are there any fines?

- An administrative fee of \$200 will be charged to the **property owner, not the vehicle owner**. The towing firm will charge a per day fee for storage. After 60 days if the vehicle is unclaimed, the towing firm will dispose of the vehicle.

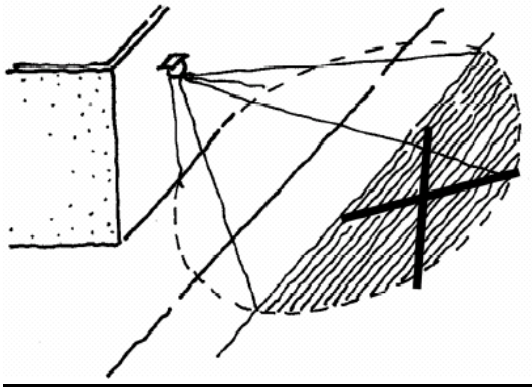
OUTDOOR LIGHTING

What is the code on lighting? (Section 3-1302)

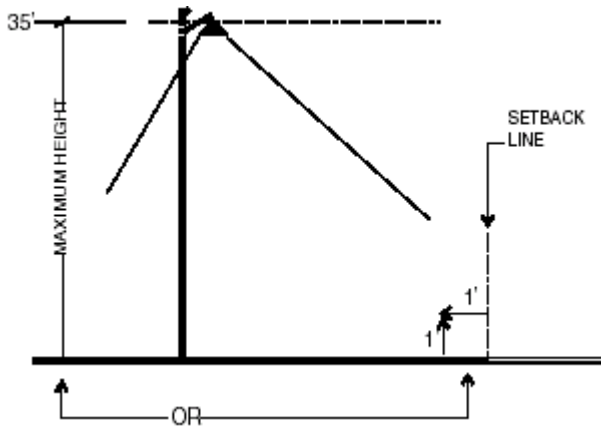
- **Fixture-type.** All light fixtures which are visible from the boundaries of the parcel, other than fixtures which are designed and installed to illuminate a wall and are directly away from the adjacent properties, shall be cut-off lights where direct illumination is cut-off above 40 degrees below horizontal.



- **Primarily,** outdoor light fixtures shall be located so that other properties are not illuminated to an extent of producing more than a dim shadow.



- **Other** more technical lighting rules are:
 - The height of the lamp in a cut-off light fixture shall not exceed 35 feet or one foot in height for each one foot the light fixture is setback from the setback, whichever is less.



- The height of the lamp in a non-cut-off light fixture shall not exceed 18 feet.
- Down-lights. The height of a down-light shall not exceed 18 feet or two-thirds of the height of the structure or tree which is being down-lighted, whichever is less.
- Up-lights. The height of the lamp in an up-light light fixture shall not exceed 18 feet or one-half of the height of the structure or tree which is being up-lighted, whichever is less.
- Sea turtle nesting areas - to the extent possible, no light within 300 feet shall be visible or extend to areas identified as Sea Turtle Nesting Areas during the nesting season of May 1 to October 31.

OUTDOOR STORAGE

What is the code on outdoor storage? (Section 3-912)

- Outdoor storage is not allowed on a residential property. Anything not designed for use outside, such as automobile parts and tires, building materials and interior furniture cannot be stored in the yard. Construction materials may not be stored outdoors unless they are related to an active permit on the property.
- Please call Development Services at (727) 562-4567 for information about locating a storage shed on the property.

PROPERTY MAINTENANCE STANDARDS

What is the code on Property Maintenance? (Section 3-1502.B.)

- Exterior surfaces of buildings must be maintained so that they are free of mildew, rust and peeling paint. All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces other than decay-resistant wood shall be protected from the elements by paint or other protective covering. Doors, windows and roofs must be maintained in a secure and weatherproof condition.

RESIDENTIAL PARKING RESTRICTIONS

What are the codes on residential parking? (Section 3-1407.B.)

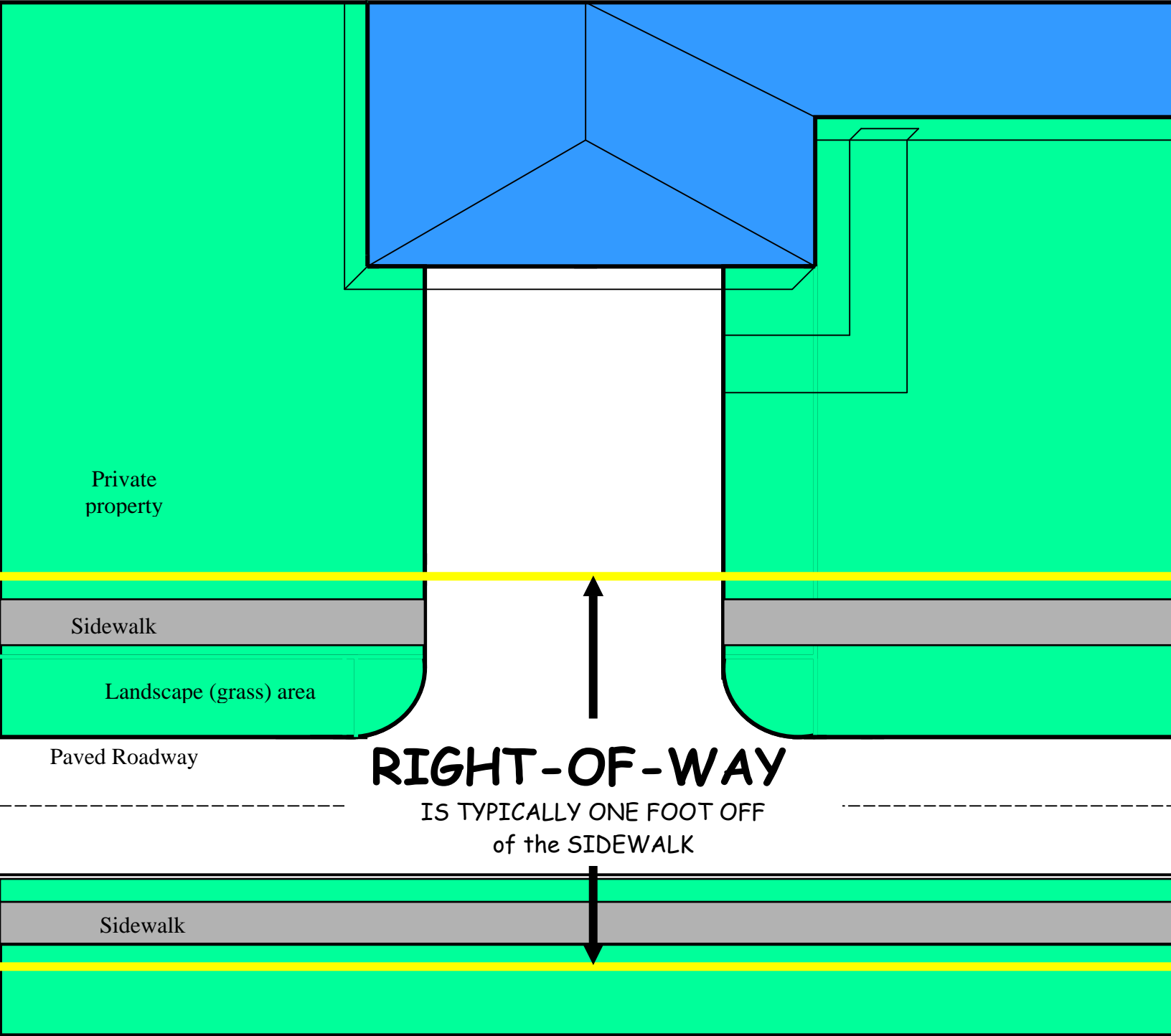
Grass parking in front of the residential structure is restricted to one space adjacent and parallel to the driveway only. The parking space must be maintained as a landscaped area, otherwise the parking space may be filled in with pavers, concrete, turf block or other approved suitable parking material. Please call Development Services at (727) 562-4567 for permit requirements.

- The following vehicles may not be parked or stored in the area in front of the residential structure or between a street right-of-way and the structure:
 - boat over 20 feet long;
 - hauling trailer;
 - recreational vehicle, travel trailer, motor home and camping trailer;
 - commercial vehicle that measures more that 20 long, 7 feet high or 7 feet wide;
 - race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation

Also, the following vehicles may not be parked in a street right-of-way:

- Boat;
 - hauling trailer;
 - recreational vehicle, travel trailer, motor home and camping trailer;
 - commercial vehicle;
 - race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
- Large vehicles such as a semi-tractor trailer, truck or cab or garage truck, pump-out truck, chemical truck, gasoline truck, fuel oil truck or similar vehicle designed to transport waste or hazardous or noxious material cannot be parked or stored in any residential area.

Where is the right-of-way?



Housing Code Standards:

ELECTRICAL:

- All electrical equipment must be safe and functional.
- Must be installed, maintained, and repaired by a licensed contractor.

FIRE PROTECTION/SMOKE DETECTORS

- Smoke detectors are to be installed near all sleeping areas and must be working properly. Every dwelling unit shall be provided with an approved, listed smoke detector, installed in accordance with the manufacturer's recommendations and listing.
- Fire extinguishers are required for multi-unit buildings.
- A person shall not occupy any building or structure which does not comply with the fire-prevention code.

HEATING:

- All residential units must have heat.
- Permanent heating equipment must be installed, and repaired by a licensed contractor.

KITCHEN AND SANITARY FACILITIES:

- Each occupied residential dwelling unit must have:
 - A kitchen with a sink, refrigerator and stove.
 - A hot and cold water supply.
 - A bathtub and and/or shower and a toilet.
- All plumbing and sanitary equipment must be in good working order. Pipes must be leak-free. Must be installed, and repaired by a licensed contractor.

LIGHT AND VENTILATION:

- Windows must be unbroken, secure and weatherproof.
- Every habitable room shall have at least one window or skylight-type window, which can be easily opened facing directly to the outdoors.

- Adequate ventilation must be provided. This means at least on operable window or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall equal at least 45% of the minimum window size or minimum skylight-type window size.
- Central air conditioned systems may be substituted for windows as required herein.
- Every common hall and inside stairway must be adequately lighted

PEST EXTERMINATION:

- The **tenant** of a single-family dwelling or the **owner** of a building containing two or more dwelling units shall be responsible for the extermination of any insects, rodents, or other pests within the building or premises.
- EXCEPTION: Extermination of wood-destroying organisms shall, in all cases, be the responsibility of the building owners.

SPACE REQUIREMENTS

- Habitable room is space in a building for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.
- There must be a minimum of 150 square feet of living space for the **first** resident in a dwelling unit and a minimum 100 square feet of living space for each **additional** person in the dwelling unit.

STAIRS & PORCHES:

- Stairs and porches must be maintained in a structurally sound and safe condition.

WALLS, ROOFS, CEILINGS AND FLOORS

- Must be maintained in a structurally sound and safe condition.
- Roofs and exterior walls shall be weatherproof and repaired by a licensed contractor.

WINDOWS AND DOORS

- Windows and doors must be maintained in a structurally sound and safe condition.
- Windows and doors shall be weatherproof and secure.

Local Business Tax Fees

(Effective June 20, 2008)

Rental Units (1-5 units on the same or contiguous parcels)	31.50
Plus, each unit over 5	1.70

Fees are subject to change periodically. Please contact Development & Neighborhood Services Department to verify current fees.

**** Five units or more** require a license from the State – issued by the **Department of Business and Professional Regulation, Division of Hotels & Restaurants.**
Phone:1-850-487-1395

Penalties

Rental Ordinance Penalties:

- Courtesy visits to rental properties may be complaint-driven or inspector-initiated. If the visit reveals violation of 3 or more of the code provisions, it may trigger an inspection of the exterior and interior of the property.
 - 1 – 4 units, all units
 - 5 – 10 units, 50% of units
 - 11 – 29 units, 20% of units
 - 30 – 49 units, 15% of units
 - 50 or greater, if one location, 5% of the units with a maximum of 20 units.
- If one or more properties are owned or managed by one person or firm a random sampling of the properties may be inspected.
- If there are 50 or more units and the inspector finds one or more major, life safety or habitability violations in 5% of the units the inspector may ask to see up to 100% of the units.
- There is no charge for the courtesy visit or first inspection. A fee of \$50.00 per unit inspected per re-inspection shall be assessed if any violation still exists after allowance of a reasonable time period for compliance.

- Failure to obtain or maintain a Business Tax Receipt or failure to maintain the property may result in penalties administered either through the City's Municipal Code Enforcement Board or Pinellas County Court.

If the provisions of the ordinance are not met a business tax receipt may be denied or revoked.

What happens if my property is in violation?

- If there is a violation, an inspector will give you courtesy notification, talk through the issues with you and give you a reasonable amount of time to correct the violation,
- If the violation continues past the courtesy time period, a notice of violation will be issued. A compliance date will be on the notice. Then, in addition to the rental housing penalties referred to in the cover letter (inspecting all properties, re-inspection fees and occupational license revocation), the following standard enforcement actions may be taken:
- If the violation is not corrected by the compliance date, the violation will either be scheduled for the Municipal Code Enforcement Board or a Notice to Appear in Pinellas County Court will be issued.

Are there any fines?

- If the Municipal Code Enforcement Board finds the property in violation, they may give a short time, usually 10 days, to correct the violation. If after the time given by the Board the violation continues, a fine per day will begin. The fine will be anywhere from \$25 per day to \$250 per day. If the fine is not paid, it will become a lien on the property.
- A Notice to Appear (NTA) in Pinellas County Court is \$188 for the initial NTA. If the violation continues, the next NTA is \$363 and then \$363 for each NTA issued thereafter.
- If you decide to go to Pinellas County Court you may have to pay the cost of each NTA plus court costs.

Contacts

City of Clearwater Community Response Team	727-562-4720
Bay Area Apartment Association	800-344-9373
Better Business Bureau	727-535-5522
Clearwater Coalition of Homeowners Association	727-447-9126
City of Clearwater Economic Development & Housing	727-562-4220
Clearwater Regional Chamber of Commerce	727-461-0011
Florida Association of Residential Property Managers	800-453-6334
Florida Dept of Business & Professional Regulation	850-487-1395
Florida Housing Coalition	850-878-4219
Florida Housing Finance Corporation	850-488-4197
Florida Manufactured Housing Association	www.fmha.org
Housing & Urban Development	www.hud.gov
National Association of Residential Property Managers	800-782-3452
Neighborhood Services Department	727-562-4665
Pinellas County Department of Consumer Protection	727-464-6200
Pinellas County Community Development	727-464-8210
Pinellas Realtors Organization	727-347-7655