

CITY ORDINANCE NO. CO-094-2023

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT FOR RS, PI-L AND PI-H ZONING DISTRICTS, AND ESTABLISHING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY AMENDING ARTICLE 2, "TABLE 89-21-2 USE TABLE," SECTION 89-21(d), AND ARTICLE 8, SECTION 89-151-1 "GENERAL DEFINITIONS," ALL REGARDING SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE (PROHIBIT IN RS)

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, in recent years, technology and innovation have expanded the use and operation of Short-Term Rentals (defined herein) to allow visitors and tourists to stay in and experience a local community; and

WHEREAS, the Lafayette City Council desires to enact Chapter 73 and amend Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances to enact and establish reasonable regulations associated with the licensing, use, and operation of Short-Term Rentals in the City of Lafayette, the same being necessary to further the health, safety and welfare of the citizens of the City of Lafayette.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: All of the aforescribed "Whereas" clauses are adopted as part of this city ordinance.

SECTION 2: The Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 73 "SHORT-TERM RENTALS," is hereby enacted and shall read as follows:

CHAPTER 73: SHORT-TERM RENTALS

ARTICLE I. – GENERALLY, LICENSING, AND OPERATION

DIVISION 1. – GENERALLY

Sec. 73-1. Legislative intent and purpose

- (a) The legislative intent and purpose in adopting this Chapter is to promulgate reasonable rules and regulations for the licensing and lawful operation of a Short-Term Rental, as defined herein, within the City of Lafayette.
- (b) The Lafayette City Council finds that the establishment of rationally based, reasonably tailored rules and regulations as hereinafter set forth concerning Short-Term Rentals is necessary to promote, protect and preserve the general welfare, safety, health, peace, good order and economy of Lafayette and the citizens of the City of Lafayette, and to preserve the integrity of Lafayette's neighborhoods.

Sec. 73-2. Territorial applicability and retroactivity.

- (a) Except as otherwise provided in this Chapter, the provisions of this Chapter shall apply only in the City of Lafayette.

- (b) This Chapter shall not supersede or affect any private conditions, covenants or restrictions applicable to a Short-Term Rental property.
- (c) This Chapter applies to all Short-Term Rentals located in the City of Lafayette regardless of whether the Short-Term Rental existed prior to or subsequent to the adoption of this Chapter.

Sec. 73-3. Limited operation in City of Lafayette zoning districts.

The operation of a Short-Term Rental is only permitted in zoning districts which contain a "P*" in the Short-Term Rental use category of Table 89-21-2 of the Lafayette Development Code. Within such zoning districts, the operation of a Short-Term Rental is further restricted to being operated within one of the listed types of "Residences" under the use category of "Residential," and "Bed and Breakfast" listed under the use category of "Lodging," in Table 89-21-2 of the Lafayette Development Code that are permitted "by right" ("P") or by a valid Conditional Use Permit ("C"), in that zoning district.

Except in RS zoning districts, and notwithstanding the foregoing, any Short-Term Rental being operated prior to the Effective Date of this City Ordinance may qualify as a nonconformity under the provisions of Article 6 of Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances if said Short-Term Rental is being operated within one (1) of the listed types of "Residences" under the use category of "Residential," and "Bed and Breakfast" listed under the use category of "Lodging," in Table 89-21-2. In order to qualify as such nonconformity, in addition to the applicable provisions of Article 6 of Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances, any person or entity currently operating a Short-Term Rental shall, on or before December 31, 2023, apply for, obtain and maintain a valid Short-Term Rental license in accordance with this Chapter. Failure to timely apply for, obtain and maintain a valid Short-Term Rental license shall result in the loss of the right to operate a Short-Term Rental as a nonconformity. All other nonconformities shall be prohibited from converting to a Short-Term Rental. In an RS zoning district, no Short-Term Rental operating on or before the effective date of this Chapter shall qualify as a nonconformity, and the provisions of this paragraph shall supersede Article 6 of Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances.

Sec. 73-4. No vested rights in license.

The City of Lafayette and/or the Lafayette City-Parish Consolidated Government, as the case may be, reserves the right to amend or repeal this Chapter at any time, and no Operator or Licensee shall have any vested rights to operate hereunder, obtain or retain a license, or have a license renewed. A Short-Term Rental license is a privilege, not a right, and may be denied, revoked or not renewed based on the provisions of this Chapter and/or the non-compliance with the requirements of this Chapter.

Sec. 73-5. Non-Transferability; Non-Exclusivity.

Licenses issued pursuant to this Chapter shall not be sold, transferred, assigned, leased or subleased to any other Operator, Licensee, person or entity. Any such sale, transfer, assignment, lease or sublease renders the license null and void. Further, with regard to licenses issued in the name of a business entity, the sale, transfer or assignment of a majority of the ownership interest therein shall render the license null and void. Nothing contained herein shall be construed to give an Operator or Licensee the exclusive right to operate within the City of Lafayette.

Sec. 73-6. Limitation of liability.

Neither the City of Lafayette, the Parish of Lafayette, nor the Lafayette City-Parish Consolidated Government, as the case may be, shall be liable to any Licensee, Short-Term Rental Guests or other third parties for any loss, damage or injury to Licensee, its Short-Term Rental, Short-Term Rental Guests, or any other property or third persons as a result of the operation and/or use of a Short-Term Rental.

Operators, Licensees, and its/their Short-Term Rental Guests acknowledge and agree that the City of Lafayette, Parish of Lafayette, and/or the Lafayette City-Parish Consolidated Government are not responsible for providing security at any location where Short-Term Rentals are located or operated.

Sec. 73-7. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a

different meaning:

Department refers to the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning.

Director refers to the director of the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning or his/her designee.

Dwelling means a building, or individual units within a mixed-use building, designed for or used exclusively for residential purposes. A dwelling includes any use designated as "Residences" in the Use Table 89-21-2 of the Lafayette Development Code.

Dwelling Unit means one (1) or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed or used as living quarters for one family.

Governing Authority refers to the governing authority of the City of Lafayette and/or the Lafayette City-Parish Consolidated Government.

Licensee means an Operator that holds a current and valid license issued pursuant to this Chapter.

Operator means a person, firm or corporation, including its agents and employees, which owns and operates a Short-Term Rental in the City of Lafayette without a current and valid license issued pursuant to this Chapter.

Short-Term Rental means the provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.

Short-Term Rental Agent means a natural person designated by the owner of a Short-Term Rental on the Short-Term Rental license application. A Short-Term Rental owner who is a natural person may serve as the Short-Term Rental Agent.

Short-Term Rental Guests mean guests, tourists, vacationers or any other person who, in exchange for compensation, occupy a Short-Term Rental for a period of time not to exceed 29 consecutive days.

Sec. 73-8. Adherence to existing laws required.

An Operator/Licensee of a Short-Term Rental shall be subject to all federal, state, and local laws and regulations.

Without limiting the generality of the foregoing, the operation of a Short-Term Rental shall not generate noise, vibration, glare, odors or other effects that unreasonably interfere or adversely affect another's use and enjoyment of property. To that end, all Operators, Licensees, and all persons who occupy a Short-Term Rental, shall, in addition to the requirements contained herein, abide by all existing state and local laws and ordinances, including but not limited to Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 34, Article II "Nuisances," Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 34, Article IV "Noise Control," Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 74, Article III "Solid Waste," Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 86, Article IX "Stopping, Standing, and Parking Regulations," said Chapters being incorporated herein by reference hereto.

Sec. 73-9. Duty to cooperate.

Operators/Licensees and/or Short-Term Rental Agents shall cooperate and meet with the Director upon request. Failure to comply with the provisions of this Chapter, as well as any federal, state and local laws and regulations, may subject an Operator or Licensee to a fine or may result in a denial, suspension or revocation of a Short-Term Rental license or renewal thereof.

Sec. 73-10 – Sec. 73-14. Reserved.

DIVISION 2. – LICENSE REQUIREMENTS

Sec. 73-15. License required.

It shall be unlawful to operate a Short-Term Rental within the City of Lafayette without a valid and current Short-Term Rental license issued by the Lafayette City-Parish Consolidated Government. No license issued under this Chapter shall operate as a valid license for the operation of a Short-Term Rental for any person(s) / entity(ies) other than those listed on the license and for any location other than the specific location for which it

is issued.

An Operator/Licensee is not entitled to and has no automatic right to a license. The issuance of a license may be withheld or denied in the discretion of the Director, which decision may be based on the information in the application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-16. License application.

- (a) Operators who desire to operate a Short-Term Rental in the City of Lafayette shall complete and submit an application for a license, in the form provided by LCG, to the Director.
- (b) In addition to the requirements of sub-paragraph (a) of this Section, the Operator shall submit:
 - (1) Payment of a \$100.00 non-refundable, non-transferrable license fee. License fees remitted in connection with a new license issued for less than a calendar year shall be prorated;
 - (2) The specific physical address of the Short-Term Rental to be used by the Operator during the license year and the total number of guest rooms, subject to the Director's approval, to be used for its operation;
 - (3) Documentary evidence of a zero-balance for all imposed fees, fines, assessments, charges, penalties, taxes, levies, owed by the Operator, as well as any ad valorem taxes on the property upon which the Short-Term Rental is located, or any other outstanding amounts whatsoever owed by the Operator to any department and/or division of the Governing Authority;
 - (4) A copy of the organizational documents establishing the Operator's business entity and evidencing the nature of same (e.g. LLC, Corporation, Partnership, etc.), a list of every officer, if applicable, the registered agent, and all shareholders/members/partners/owners and their respective ownership interest in and to the business entity, as well as any amendments or bylaws associated therewith;
 - (5) The name and contact information (including mailing address, mobile phone number with texting capabilities and email address) of the Operator, and the name and contact information (including mailing address, mobile phone number with texting capabilities and email address) of the Short-Term Rental Agent, which shall constitute his or her 24 hours a day, seven (7) days a week (24/7) contact information;
 - (6) The Operator/Licensee's signed affidavit of ownership of the Short-Term Rental, on a form provided by the Director;
 - (7) The Operator/Licensee's and the Short-Term Rental Agent's signed acknowledgement that he or she has reviewed this Chapter and understands its requirements;
 - (8) The Operator/Licensee's and the Short-Term Rental Agent's signed agreement to use his/her/their best efforts to assure that the use of the premises as a Short-Term Rental will not disrupt the neighborhood and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
 - (9) The number and location of parking spaces legally available on the property upon which the Short-Term Rental is located to be used for its operation;
 - (10) Documentary evidence that the Short-Term Rental Operator/Licensee has provided notification of the intent to secure a Short-Term Rental license, via certified United States mail, to the following:
 - i) The physical municipal addresses of the first and second adjacent properties. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first and second adjacent property, if different than the physical municipal addresses; and
 - ii) If the Short-Term Rental is located within a Dwelling consisting of

one (1) or more Dwelling Units not owned by the Operator/Licensee, the physical municipal addresses of the first and second adjacent Dwelling Units. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first and second adjacent Dwelling Units, if different than the physical municipal addresses.

This notification shall include the address of the Short-Term Rental and the name, address, telephone number and email address of the Operator/Licensee and the 24/7 contact information of the Short-Term Rental Agent;

- (11) Proof that the Operator/Licensee has a current registered account with the Lafayette Parish School System for remittance of all applicable taxes related to the operation of the Short-Term Rental; and
 - (12) A signed statement that the Operator/Licensee has not had any license or permit of a similar type, issued by any state or political subdivision, suspended, revoked, and/or declared null and void within two (2) years prior to filing said application, which information may be used by the Director in determining whether a license or renewal thereof shall issue pursuant to this Chapter.
- (c) *Abandonment of license application.* An application for a new or renewal license shall be deemed abandoned if:
- 1. The Director has sent written notice to the Operator or Licensee that said application is incomplete or requires supplementation ("Deficiencies"); and
 - 2. More than 45 calendar days have elapsed from the date of the notice of the Deficiencies by the Director explaining the Deficiencies and the Operator or Licensee has failed to correct the Deficiencies and re-submit a revised license application to the Director.
- Any abandonment of a license application will require the Operator or Licensee to submit a new application pursuant to this Chapter. The application fee of the abandoned application shall not be transferred to a new application.
- (d) During the license year, any changes to the information provided by a Licensee in its license application must be reported to the Director, in writing, within ten (10) days of the change. In the event the 24/7 contact information of the Short-Term Rental Agent changes during the license year, the Licensee shall, within five (5) business days, provide the updated 24/7 contact information to the first and second adjacents in the manner required by Sec. 73-16(10)(i)-(ii) and, within ten (10) days of this change, provide documentary evidence of such notice to the Director.
 - (e) Licensees may be required to obtain and maintain additional valid licenses, certificates, and/or permits from the Governing Authority.

Sec. 73-17. Duration of license; license renewal.

- (a) Licenses and renewals thereof issued pursuant to this Chapter shall be valid from the date of issuance until December 31 of the calendar year in which the license has been issued, unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first. Each change in ownership of a Short-Term Rental shall require the new owner(s) to apply for and obtain a new license.
- (b) Application for an annual renewal of a license shall be made by the Licensee no later than 60 days before license expiration. Application for license renewal shall require:
 - (1) Payment of a \$100.00 non-refundable, non-transferrable application fee;
 - (2) Supplementation of Licensee's original license application and supporting documentation to the extent the information contained therein has changed and/or requires renewal or update, including but not limited to updates to those items listed in Section 73-16(b), or a notarized statement by the Licensee attesting that no information has changed, and if changed, has been updated since the original license application.

- (c) Upon renewal, licenses issued pursuant to this Chapter shall be valid for one (1) year (January 1 – December 31) unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first.
- (d) If, through no fault of the Licensee, a renewal license is not issued before January 1 of the license year, the Director may extend the Licensee's license until such time as the Licensee's application for renewal license is granted or denied.
- (e) Licensee is not entitled to and has no automatic right to renewal of its license. Renewal licenses may be withheld or denied in the discretion of the Director, which decision may be based on the information in the renewal application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-18. Prohibition on re-issuance of revoked license.

The Director shall not consider any subsequent application for a Short-Term Rental license by the Licensee(s) listed on a revoked license for the property identified thereon within a period of two (2) years beginning on the date the Director's decision to revoke the license becomes final. For the purposes of this prohibition, no license shall be issued to any person who is an interposed person for the Licensee whose license has been revoked. The Director may require a full disclosure, in writing and under oath, of the details of the operation of any person suspected of being interposed for another. Further, no license shall be issued for that property to any Licensee where the revoked Licensee has a direct or indirect economic interest.

Sec. 72-19 – 17-23. Reserved.

DIVISION 3. – SHORT-TERM RENTAL OPERATIONS

Sec. 73-24. Generally.

A Short-Term Rental Licensee shall post a sign inside the Short-Term Rental in a conspicuous place where it is readily visible at all times. The sign shall include the Short-Term Rental Agent's 24/7 contact information (including mailing address, mobile phone number with texting capabilities, and email address), the street address of the Short-Term Rental, and a copy of the Short-Term Rental license.

Sec. 73-25. Short-Term Rental Agent.

Short-Term Rental Agents shall:

- (a) Receive and accept service of any notice related to the use or occupancy of the Short-Term Rental;
- (b) Monitor the Short-Term Rental for compliance with this Chapter;
- (c) Be available 24 hours per day, 7 days per week and have the primary responsibility to handle any problems or complaints arising from the use or operation of the Short-Term Rental. The Short-Term Rental Agent shall address the problem or complaint within 60 minutes, or within 30 minutes if the problem occurs between 11:00 p.m. to 7:00 a.m., including visiting the site if necessary; and
- (d) Maintain a log of each complaint arising from the use or operation of the Short-Term Rental. This log shall include, at a minimum, the address of the Short-Term Rental at issue, the date and time of the complaint, the name of the complainant(s) if available, the nature of the complaint, a summary of the action taken to resolve the complaint, and the date and time the complaint was resolved. A separate log shall be maintained for each permit year and each Short-Term Rental, and shall be kept for at least one (1) year following the expiration of each License year, and shall be made available to the Director upon request.

Sec. 73-26. Prohibitions.

- (a) Minimum Stay.

No Short-Term Rental shall be rented or offered for rent for less than a one (1) night minimum stay.

(b) Events.

Receptions or private parties/events for a fee are not allowed on the premises of a Short-Term Rental in "RM" zoning districts.

(c) Rental of Entire Dwelling or Dwelling Unit Required.

Individual rooms within a Dwelling or Dwelling Unit shall not be separately rented or offered for rent; only the entire Dwelling or Dwelling Unit can be rented or offered for rent.

(d) Maximum Occupancy in "RM" Zoning Districts.

The maximum number of guest rooms that can be rented or offered for rent in a Short-Term Rental in an "RM" zoning district shall be four (4). The maximum occupancy of a guest room within a Short-Term Rental in a "RM" zoning district is limited to two (2) persons. These maximum occupancy restrictions apply per license, irrespective of whether the licensed property contains more than one (1) structure suitable for the operation of a Short-Term Rental.

Sec. 73-27. Violations; suspension and/or revocation of license

- (a) *Authority of Director.* Licensee may be fined and/or licenses may be conditioned, suspended, or revoked by the Director due to any non-compliance with the regulations or requirements of this Chapter, or due to a failure to comply with any and all statutes, ordinances, regulations or policies that are duly and lawfully adopted by the United States, the State of Louisiana, the City of Lafayette, the Parish of Lafayette and/or the Lafayette City-Parish Consolidated Government.
- (b) *Informal hearing before Director.* Before any Licensee is fined and/or any license is conditioned, suspended, or revoked pursuant to this Section, the Licensee shall be entitled to an informal hearing before the Director, as provided herein. The Director shall issue a written notice to the Licensee, at the address provided by Licensee in its/their license application. Written notice may be sent either by regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application and shall include the following:
- a. The date, time, and place of the informal hearing;
 - b. The relevant provisions of the statutes, ordinances, regulations and/or policies violated; and
 - c. A brief description of the alleged violation(s).

Prior to holding an informal hearing pursuant to this Section, Licensee shall be notified at least 14 days (inclusive of legal holidays) in advance of the date that such a hearing is scheduled. The date of postmark or e-mail transmission shall be deemed to be the date of delivery.

Within 14 days of the informal hearing, the Director shall render a written decision. Notice of the Director's written decision shall be provided to the Licensee either by regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application. The date of postmark or e-mail transmission shall be deemed to be the date of delivery. The written decision of the Director shall be final after the expiration of the appeal delays established in this Section.

- (c) *Appeal to District Court.* Within 21 calendar days from the date of the Director's written decision, a Licensee may take an appeal to the 15th Judicial District Court. Concurrent with the filing of an appeal to the 15th Judicial District Court, the Licensee shall provide notice of such filing to the Director.
- (d) Fines levied, and/or any licenses conditioned, suspended, or revoked by the Director shall be effective upon the decision of the Director becoming final.

SECTION 3: Chapter 89, Article 2, Section 89-21-2 (“Use Table”) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Table 89-21-2 Use Table			“A” Agricultural	“RS” Residential Single-Family	“RM” Residential Mixed	“MN” Mixed-Use Neighborhood	“MX” Mixed-Use Center	“D” Downtown	“CM” Commercial Mixed	“C” Commercial Heavy	“PI-L” Public/Institutional-Light	“PI-H” Public/Institutional-Heavy	“IL” Industrial Light	“IH” Industrial Heavy
Use Category														
Residential														
Residences:														
Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory apartment	P	P	P	P	P	P	P	P	C	C	C	C	C	C
Cottage Courts		C	P	P	P	P	P	P	C	P	C	C	C	C
Dwelling, two-family (duplex)		C	P	P	P	P	P	P	P	P	P	P	P	P
Multi-family		C	P	P	P	P	P	P	P	P	P	P	P	P
Live/Work Dwelling		C	P	P	P	P	P	P	P	P	P	P	P	P
Manufactured home		C	C	C	C	C	C	C	C	C	C	C	C	C
Manufactured Housing Land Lease Community	<u>p</u>	C	C	C	C	C	C	C	C	C	C	C	C	C
Apartment House		C	P	P	P	P	P	P	P	P	P	P	P	P
Apartment Hotel		C	P	P	P	P	P	P	P	P	P	P	P	P
Townhouse/ Row House		C	P	P	P	P	P	P	P	P	P	P	P	P
Group Living:														
Boarding House		C	P	P	P	P	P	P	P	P	P	P	P	P
Community living		C	P	P	P	P	P	P	P	P	P	P	P	P
Community home	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Life care or continuing care services		C	P	P	P	P	P	P	P	P	P	P	P	P
Lodging														
Bed and breakfast		C	C	C	C	C	C	C	C	C	C	C	C	C
Short-Term Rental *See LCG Code, Chapter 73-3	<u>p*</u>	C	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Hotel (small)		C	P	P	P	P	P	P	P	P	P	P	P	P
Hotel / Motel		C	P	P	P	P	P	P	P	P	P	P	P	P
Recreational vehicle park	C	C	C	C	C	C	C	C	C	C	C	C	C	C

SECTION 4: Chapter 89, Article 2, Section 89-21(d) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Lodging	
Bed and breakfast	An owner- or operator-occupied house, or part of a house, that offers no more than 9 guest bedrooms for overnight paid occupancy of up to 30 consecutive nights, and where breakfast is provided to guests.
Short-Term Rental	<u>The provision of a Dwelling or Dwelling Unit, or a portion of either, that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.</u>
Hotel (small)	A Hotel that does not contain more than 50 guest rooms and does not exceed three stories in height.
Hotel / Motel	A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests and transients and where only a general kitchen and dining room are provided within the building or in an accessory building.
Recreational vehicle park	Any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, or mobile trailers for dwelling, lodging, or sleeping purposes and is held out as such to the public. Examples include campgrounds and recreational vehicle/travel trailer parks. This use does not include a Manufactured Housing Land Lease Community.

SECTION 5: Chapter 89, Article 8, Section 89-151-1 (“General Definitions”) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being

additions:

Table 89-151-1 General Definitions

Shopping Center	See Integrated Business Center in Article 5 "Signs". (↔ § 89-90 (a)(2)).
Short-Term Rental	<u>The provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation. (↔ § 73-1) (↔ § 89-21-2 "Use Table") (↔ § 89-21(d))</u>
Shrub	A low, usually multi-stemmed, self-supporting, woody plant species

SECTION 6: The regulations associated with the operation of a Short-Term Rental in the City of Lafayette as established herein shall be retroactively applied. In that regard:

- (i) Those Operators operating a Short-Term Rental prior to the Effective Date of this City Ordinance located in a zoning district where Short-Term Rentals are prohibited by this city ordinance shall have 12 months from the Effective Date of this city ordinance to cease operations or, on or before December 31, 2023, apply for and obtain a Short-Term Rental license as a nonconformity under the provisions of Chapter 73, Section 73-3, of the Lafayette City-Parish Consolidated Government Code of Ordinances; and
- (ii) Those Operators operating a Short-Term Rental prior to the Effective Date of this City Ordinance and/or those Operators desiring to operate a Short-Term Rental prior to December 31, 2023, located in a zoning district where Short-Term Rentals are not prohibited by this City Ordinance shall, on or before December 31, 2023, apply for a Short-Term Rental license in accordance with Chapter 73 of the Lafayette City-Parish Consolidated Government Code of Ordinances.

The issuance of a Short-Term Rental license authorizing the operation of a Short-Term Rental shall be subject to all regulations and requirements of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 7: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

This page intentionally left blank



Internal Memorandum

Legal Department


TO: Veronica Arceneaux, Clerk of the Councils
CC: Andy Naquin, City Councilman, District 2
FROM: Paul D. Escott, Assistant City-Parish Attorney
SUBJECT: City Council Agenda Item - Ordinance
July 11, 2023 Meeting – Introduction
July 25, 2023 – Final Adoption
DATE: June 30, 2023

Vee,

On behalf of City Councilman Andy Naquin, I submit the following, to wit:

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL
ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED
GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND
OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT
FOR RS, PI-L, AND PI-H ZONING DISTRICTS, AND ESTABLISHING PENALTIES
FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-
PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY
AMENDING ARTICLE 2, "TABLE 89-21-2 USE TABLE", SECTION 89-21(d), AND
ARTICLE 8, SECTION 89-151-1 "GENERAL DEFINITIONS", ALL REGARDING
SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE**

On his behalf, I respectfully request that this City Ordinance be placed on the City Council's July 11, 2023 Meeting Agenda for consideration, for introduction, with consideration for final adoption at the City Council's July 25, 2023 meeting.



Paul D. Escott
Assistant City-Parish Attorney

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An Ordinance Of The Lafayette City Council Enacting Chapter 73 Of The Lafayette City-Parish Consolidated Government Code Of Ordinances Regarding The Licensing And Operation Of Short-Term Rentals In The City Of Lafayette, Except For RS, PI-L, And PI-H Zoning Districts, And Establishing Penalties For Violations And Amending Chapter 89 Of The Lafayette City-Parish Consolidated Government Code Of Ordinances By Amending Article 2, "Table 89-21-2 Use Table", Section 89-21(D), And Article 8, Section 89-151-1 "General Definitions", All Regarding Short-Term Rentals In The City Of Lafayette

2) ACTION REQUESTED: Adoption of City Ordinance

3) COUNCIL DISTRICT(S) (if applicable): N/A

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: July 11, 2023

B) FINAL ADOPTION: July 25, 2023

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover Memo (1 page)

B) City Ordinance (11 ^{EMH} pages)

C) Agenda Item Submittal Form (1 page)

6) FISCAL IMPACT:


 Fiscal Impact

 X No Fiscal Impact

AUTHORED BY:

Andy Naquin
City Councilman, District 2

SUBMITTED BY:



Paul D. Escott
Assistant City-Parish Attorney

DISPOSITION OF ORDINANCE NO. CO-094-2023

1. This ordinance was introduced: July 11, 2023
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
- Final disposition by Council: _____, 2023
YEAS:
NAYS:
ABSENT:
ABSTAIN:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on July 14, 2023.
3. This ordinance was presented to the Mayor-President for approval on _____, 2023, at _____ o'clock ____m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
- I hereby:
- A. Approve this ordinance, the _____ day of _____, 2023, at _____ o'clock ____m.
- B. Veto this ordinance, the _____ day of _____, 2023, at _____ o'clock ____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2023, at _____ o'clock ____m., veto message is attached.

MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on _____, 2023, at _____ o'clock ____m.
6. Reconsideration by Council (if vetoed):
- On _____, 2023, the Council did/refused to adopt this ordinance after the Mayor-President's veto.
7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2023, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on _____, 2023.