

**CITY OF ROLLING FIELDS
ORDINANCE 18-2, SERIES 2018
AN ORDINANCE ESTABLISHING LICENSURE AND REGULATIONS
FOR RENTALS INCLUDING SHORT TERM RENTALS
IN THE CITY OF ROLLING FIELDS**

WHEREAS, the City of Rolling Fields Commission finds that the operation of rental properties for compensation is a recognizable and distinct class of business within the City, which the City is entitled to tax and license as a business under KRS 92.280;

AND WHEREAS, the City has found that the rental of houses within the City requires licensure and regulation, due to the instances of unresolved health and safety property conditions at rental dwellings which have occurred in the City;

AND WHEREAS, the City finds that a narrowly tailored ordinance that establishes a registration and permitting process enabling the City to keep and establish a means of clear and concise communication with the owners of rental property in the City is a reasonable regulation that addresses a real public health and safety concern and which power is specifically authorized and given to the City under KRS 92.280 and KRS 92.330;

NOW THEREFORE, be it resolved by the City of Rolling Fields:

Section 1: Purpose:

The City Commission does hereby find (pursuant to KRS 92.330), that it is necessary to provide for the licensure and taxing of rental properties as businesses, because renting of property in exchange for compensation is in fact a business and the operation of rental property can be detrimental to property values and community appearance and interfere with the comfortable enjoyment of adjacent property or premises. Further, there are conditions in the operation of rental property which (unless corrected), can be hazardous or injurious to the health, safety or general welfare of the public. KRS 92.280 grants authority to the City to tax and license rental businesses and to establish a clear and concise communication process between the City and each owner of each rental unit. This updated information and communication process is essential for the City to make sure that it can address any detrimental property conditions, or health or safety violation at the rental property, quickly and efficiently. The fee for the annual license going to the general fund of the City to help defray the cost of maintaining current contact information for all rental properties in the City and also the cost of providing City services, such as lighting, police protection and public work expenditures, which the rental properties use each day.

Secton 2. Definitions:

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. Carrying on, transacting or exercising, for gain or economic benefit, either directly or indirectly enterprise, the collection of rent from residential real property within City (including short term rental as defined herein), conducted by an individual, partnership, firm, joint venture, association, corporation or any other entity; but shall not include allowing a person to occupy property without charging rent.

PERSON. Any natural person, partnership, firm, joint venture, fiduciary, association or corporation. Whenever “person” is used in any clause prescribing and imposing a penalty in the nature of a fine, the word, as applied to a partnership or other form of unincorporated enterprise shall mean the partners or members thereof, and as applied to corporations, shall mean the officers and directors thereof.

SHORT TERM RENTAL. A dwelling unit that is rented, leased or otherwise assigned for a tenancy for less than 15 consecutive days duration, where no meals are served. This term does not include hotels or motel rooms, extended stay lodging facilities, bed and breakfast inns or boards and lodging house rooms.

Section 3. License Required

- (a) No person shall collect rent from a residential dwelling in the city without first applying for and obtaining a license from the City Clerk or other duly authorized issuing authority. The fee for a license shall be \$150.00. This fee and license requirement shall apply to any person renting their real property including short term rentals. No person shall conduct any business in the city that is not allowed by the Land Development Code of Metro Louisville/ Jefferson County or KRS (State law) and federal law.
- (b) Registration of rental dwellings: Application shall include:
 - 1) The address of the rental dwelling.
 - 2) The name, residence address, business address, business phone number and personal phone number of the owner and each of its principals, officers, and partners, if applicable, and the local agent of the rental property. One of the names and addresses must be specified for city communications.
 - 3) Designation of local agent: If the owner of a rental dwelling, or a responsible member or officer of the owner, does not reside within 60 miles of the city, the owner shall designate a responsible local agent who shall be legally responsible for operating such rental dwelling in compliance with this article, this code of ordinances, and other applicable laws or regulations. All official notices may be served on the responsible local agent, and any notice so served shall be deemed to have been served upon the owner of record.
 - 4) Verification that all state and city taxes levied and assessed against the rental dwelling that are due and payable at the time of the filing of the application have been paid. Delinquencies on such taxes may result in the

