

CITY OF PEWEE VALLEY
ORDINANCE # 5 Series 2020
AN ORDINANCE APPROVING AND REGULATING
SHORT-TERM RENTALS

WHEREAS, the City of Pewee Valley has authority pursuant to the provisions of KRS Chapter 100 and the Oldham County Joint Planning Unit Agreement to exercise zoning power and adopt updates and revisions to the Oldham County Comprehensive Zoning Ordinance affecting the City of Pewee Valley,

AND WHEREAS, the City of Pewee Valley has recently identified houses in the City in which the business of short-term rental was occurring, without compliance with the Oldham County Comprehensive Zoning Ordinance regulations titled "Short Term Rental Property" Section 250-050 to allow short-term rentals,

AND WHEREAS, The City of Pewee Valley Council has determined that short-term rentals in the City of Pewee Valley should only be allowed upon the issuance of a conditional use permit,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL THE CITY OF PEWEE VALLEY.

SECTION 1. PURPOSE

The Oldham County Comprehensive Zoning Ordinance in a section titled "Short Term Rental Property" Section 250-050, creates detailed regulations for the operation of short-term rentals. However, the Pewee Valley City Council hereby finds that the portion of these regulations allowing the primary residence of the property owner to be operated as short-term rental without the issuance of a Conditional Use Permit, should be modified to always require the issuance of a Conditional Use Permit. The City has found that facilities being operated as the "primary residence" of the owner without a Conditional Use Permit are in fact often rented

out most of the year with the property owner living elsewhere. The City of Pewee Valley finds that this thwarts the purpose of the “primary residence” exception, in that owners are not present when the facilities are being rented.

SECTION 2. CONDITIONAL USE PERMIT REQUIRED

No person, firm or corporation shall own or operate a short-term rental on any premises (whether it is the personal residence of the owner or not), within the City of Pewee Valley unless the short-term rental has been permitted, registered annually with the Oldham County Planning & Development and is only operated once a Conditional Use Permit is granted.

SECTION 3. COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS

Each separate short-term rental shall be in compliance with Oldham County Comprehensive Zoning Ordinance in a section titled “Short Term Rental Property” Section 250-050, any conditions of approval in its applicable Conditional Use Permit, as well as any other applicable state and local laws and regulations including, but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, and mechanical. Any violation of Federal, State, local law or regulation shall constitute a violation of this ordinance and subject the owner and/or Host to the enforcement and penalty sections of this ordinance.

SECTION 4. PENALTY.

A. Any person who operates a short-term rental without a license, as provided in this

Ordinance, shall be issued a citation by an enforcement officer designated by the City and

ordered to cease operations until a valid license is obtained and validated. Violation of this ordinance carries a penalty of not less than \$300 per day for each day that a short-term rental is operated without a valid license. Each day of such violation(s) shall constitute a separate offense.

- B. In addition to the penalties provided herein, the City is authorized to pursue remedial civil actions for violations of this Ordinance by civil complaint or petition for injunctive relief, declaration of rights or other appropriate proceedings filed in the Oldham County, Kentucky Circuit Court.

SECTION 5. This Ordinance shall take effect upon its passage and approval as required by law.

Adopted this 3rd day of August, 2020.

First Reading:

July 16, 2020

Second Reading:

August 3, 2020

Passage and Approval:

August 3, 2020

Mayor

Bob Rogers

ATTEST:

Danise Hanes
City Clerk

Those in Favor:

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Those Opposed:

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