

CITY OF GLENVIEW, KENTUCKY  
ORDINANCE NO. 1, SERIES 2018

AN ORDINANCE ESTABLISHING CERTAIN REGULATIONS FOR SHORT TERM RENTALS  
AND TEMPORARY ACTIVITIES WITHIN THE CITY OF GLENVIEW, KENTUCKY

Whereas, (i) Sections 4.2.63 and 4.3.23 of the Louisville Metro Land Development Code (the "Land Development Code") and (ii) Sections 115.515 through 115.521 the Louisville Metro Code of Ordinances, each set forth regulations for short term rentals within the Louisville Metro area (individually and collectively, the "Louisville Metro Short Term Rental Regulations").

Whereas, the Louisville Metro Short Term Rental Regulations require that each host of a short term rental shall, before short term renting property, (i) submit a notice of intent to commence a short term rental to the Louisville Metro Office of Planning & Design Services in a form prescribed by the Director ("Director") of the Louisville Metro Department of Develop Louisville ("Develop Louisville") and (ii) register annually with Develop Louisville per the procedure prescribed by the Director, and approved by the Louisville Metro Revenue Commission, using a registration form that includes at a minimum (a) the name, address, phone number, and email address of the host and of a person residing or located within twenty five (25) miles of the short term rental that shall be responsible for addressing any maintenance or safety concerns, (b) the location of the short term rental and (c) a nonrefundable fee payment of twenty five (\$25) dollars (individually and collectively, the "Louisville Metro Short Term Rental Notice and Registration Requirements").

Whereas, Section 4.3.7 of the Land Development Code sets forth regulations for Temporary Activities (as defined in Section 1.2.2 of the Land Development Code) within the Louisville Metro area (the "Louisville Metro Temporary Activities Regulations").

Whereas, the Louisville Metro Temporary Activities Regulations require that Temporary Activities, in certain zoning districts including the City's zoning district, be permitted by the Planning Director (as defined in Section 1.2.2 of the Land Development Code) in accordance with certain standards described therein (the "Louisville Metro Temporary Activities Permit Requirement").

Whereas, the City of Glenview, Kentucky (the "City") is concerned that (i) hosts are short term renting properties within the City without fulfilling the requirements set forth in the Louisville Metro Short Term Rental Regulations, including without limitation the Louisville Metro Short Term Rental Notice and Registration Requirements and (ii) residents are conducting Temporary Activities within the City without fulfilling the requirements set forth in the Louisville Metro Temporary Activities Regulations, including without limitation the Louisville Metro Temporary Activities Permit Requirement.

Whereas, the City desires to pass this Ordinance No. 1, Series 2018 (this "Ordinance") to establish certain regulations for (i) short term rentals within the City that are to be in conjunction with, and supplemental to, the Louisville Metro Short Term Rental Regulations, including without limitation the Louisville Metro Short Term Rental Notice and Registration Requirements and (ii) Temporary Activities within the City that are to be in conjunction with, and supplemental to, the Louisville Metro Temporary Activities Regulations, including without limitation the Louisville Metro Temporary Activities Permit Requirement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GLENVIEW, KENTUCKY:

SECTION 1. Each and every person or other entity who desires to short term rent property within the City shall, before short term renting such property, submit to the City in writing, proof satisfactory to the City, that such person and/or entity has (i) fulfilled the Louisville Metro Short Term Rental Notice and Registration Requirements and (ii) received approval from Develop Louisville to short term rent such property.

SECTION 2. Each and every person or other entity who desires to conduct Temporary Activities within the City shall, before conducting such Temporary Activities, submit to the City in writing, proof satisfactory to the City, that such person and/or entity has fulfilled the Louisville Metro Temporary Activities Permit Requirement.

SECTION 3. Each and every person or other entity (i) who short term rents property within the City shall at all times comply with, and cause the short term renters of such property to comply with, the City's Ordinance No. 4, Series 2015 entitled "An Ordinance Preventing Littering within the City of Glenview, Kentucky" (the "City Littering Ordinance") and (ii) who conducts Temporary Activities within the City shall at all times comply with, and cause all persons participating in such Temporary Activities to comply with, the City Littering Ordinance.

SECTION 4. Any person or other entity who violates this Ordinance shall receive a notice of violation from the City as a warning for a first offense. A second offense shall be subject to a civil penalty of not less than \$100 and no more than \$500 as imposed by the City. A third offense shall be subject to a civil penalty of not less than \$500 and no more than \$1,000 as imposed by the City. Each day that a violation continues after notice from the City has been served shall be deemed a separate offense. In addition to the penalties provided herein, the City shall have the right to (i) 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 Jefferson County, Kentucky Circuit Court and (ii) place a lien on the property where the violation has occurred, to be filed with the Office of the Clerk of Jefferson County, Kentucky, and enforce such lien, which such lien shall (a) include the applicable penalty or penalties, costs of filing and enforcing such lien (including without limitation reasonable attorneys' fees), and (b) be subject and subordinate to any mortgage recorded prior to the recording of such lien.

SECTION 5. The City's failure, delay and/or decision not to enforce or exercise at any time any of the provisions of this Ordinance shall not be construed to be a waiver thereof, nor affect the validity of any part of this Ordinance or the right of the City to enforce each and every such provision.

SECTION 6. If any provision of this Ordinance is held to be invalid or unenforceable, then the remainder of this Ordinance shall be, to the maximum extent permitted by law, unaffected and in full force and effect.

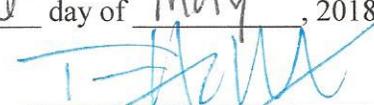
SECTION 7. This Ordinance shall take effect and be in force and effect from and after its passage and publication.

<u>COMMISSION MEMBERS</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
W. Thomas Halbleib, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Donald W. Bennett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deborah M. Reiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nanette Tafel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John L. Warmack, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

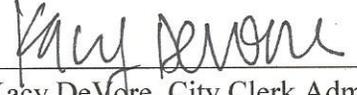
FIRST READING: MARCH 21, 2018

SECOND READING: MAY 16, 2018

PASSED AND APPROVED this 16<sup>th</sup> day of MAY, 2018.

  
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 W. Thomas Halbleib, Jr., Mayor  
 City of Glenview, Kentucky

Publication Date: June 11, 2018

Attest:   
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 Kacy DeVore, City Clerk Administrator