

Agenda items for the July 23, 2013 Council Meeting

At the June 11, 2013 Council meeting, we had a presentation asking Venice to join the state-wide effort to repeal HB 883 regarding Short Term Rentals passed by the legislature in 2011 and we were urged to pass a resolution and lobby our Legislative Delegation.

I request that Council authorizes my participation in any organized efforts by the Manasota League and Florida League of Cities' efforts to further the repeal of HB 883, and keep Council informed.

Emilio Carlesimo

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## **CAMPAIGN FOR REPEAL OF HB 883 (2011)**

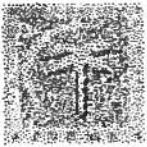
It is our goal to have HB 883 (2011) repealed by the 2014 legislature. After talking with politically astute individuals, here is what we recommend as strategies. Your Council can use one, two, or all strategies, but we urge you to participate in removing this huge impediment to our leading our own cities.

1. Contact your legislators monthly by letter, call, or email requesting they act to repeal 883 and telling them how our cities are affected by it. This means that over the next year, each legislator will receive many letters from our cities.
2. Commit to one visit this year with one or more of our legislative delegation when they are at home. Visits can be at their offices or invite them to a Commission meeting.
3. Invite the whole delegation to come to a public meeting to talk with your citizens about their intentions regarding HB883 (2011).
4. Work with the Manasota League and the Florida League of Cities to have them lobby not just our delegation, but all State legislators. Sue Lynn and I already have committed to work with these two bodies.
5. Contact, perhaps through the League of Cities, or through relationships you already have, other Florida cities that have not yet, but will soon, become aware of the downside of 883: that they cannot control short-term (or any) rentals in their cities.

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## Another one in the Win Column: FVRMA Bill Signed into Law by Governor Scott

Posted on June 30, 2011 by Executive Director

Another one in the Win Column:

**FVRMA Bill Signed into Law by Governor Scott**

The FVRMA initiated bill, HB 883, passed the Florida Legislature in the closing days of the 2011 Session, and was signed into law by Governor Scott!

The 2011 Regular Session of the Florida Legislature concluded on May 6 and irrespective of the general negative undertones that defined this session, the **Florida Vacation Rental Managers Association (FVRMA)** had a successful session. As session began, FVRMA's top priority was to pass HB 883 which would prohibit local governments from regulating, restricting, or prohibiting vacation rentals based solely on their classification, use or occupancy, change the classifications of vacation rentals from "resort dwellings" to vacation rentals and provide us a seat on the Advisory Council to the Florida Department of Business and Professional Regulation! Were there set-backs? Yes. Were there needed compromises? Unfortunately, yes. But in the end, we prevailed and have etched out our segment of the hospitality industry in Florida!

Our Lobbyist, Lori Killinger, from the Lewis, Longman & Walker law firm, and her team began working with several of FVRMA's board members in 2010 and devised a statutory resolution to the issue of sprinkler installation. That resolution amended the State Fire Marshal's statute and clarified that a property owner shall not be required to install fire sprinklers in an existing residential property regardless of its use as a rental property.

We continued our efforts in 2011 and achieved this tremendous victory! We want to give our Legislative Counsel, Lori Killinger, Senator Greg Evers (R-2), and Representative Mike Horner (R-79) a huge "thank you" for their combined efforts on our behalf. Thanks also go to the FVRMA Legislative Committee and especially our outgoing and incoming Presidents, Paul Hayes and Brad Lear, for their unrelenting dedication to this effort.

Thank you for your support as FVRMA continues to fight for vacation rental managers!

Posted in Uncategorized | Tagged Florida Legislation, FVRMA Bill, Governor Scott, HB 883 |  
2 Comments

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Barbara Beatty, FVRMA, Executive Director on Blog

Roy on Another one in the Win Column: FVRMA Bill Signed into Law by Governor Scott

Thad Cartrette on FVRMA Enters Partnership with HD Supply

GregTorsion on Another one in the Win Column: FVRMA Bill Signed into Law by Governor Scott

admin on Legislative

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Colony Resort Sanibel - Betsy Dekker

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## 2 Responses to Another one in the Win Column: FVRMA Bill Signed into Law by Governor Scott



**GregTorsion**

November 8, 2011 at 2:06 pm

Now that's what I was searching for. Thanks a lot for the information. To my mind, other posts are a bit less interesting. Please don't be offended, simply try to keep quality at this level ☺

Greg Torsion

## CHAPTER 2011-119

### Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 883

An act relating to public lodging establishments and public food service establishments; amending s. 509.013, F.S.; excluding nonprofit organizations providing certain housing from the definition of "public lodging establishment"; amending s. 509.032, F.S.; conforming provisions to changes made by the act; prohibiting local governments from regulating, restricting, or prohibiting vacation rentals based solely on their classification, use, or occupancy; providing exceptions; revising authority preempted to the state with regard to regulation of public lodging establishments and public food service establishments; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term "vacation rental"; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising penalties for public lodging establishments and public food service establishments operating without a valid license; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; creating s. 901.1503, F.S.; authorizing a law enforcement officer to give a notice to appear to a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and the owner or manager of the public lodging establishment and one additional affiant sign an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term "contraband article"; providing that specified portions of the act do not affect or impede specified statutory provisions or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (4) of section 509.013, Florida Statutes, is amended to read:

(4)

victims of neglect, as defined in s. 415.102, or, in the case of a building that is not equipped with automatic sprinkler systems, tenants or clients who may be unable to self-preserve in an emergency, the division shall convene meetings with the following agencies as appropriate to the individual situation: the Department of Health, the Department of Elderly Affairs, the area agency on aging, the local fire marshal, the landlord and affected tenants and clients, and other relevant organizations, to develop a plan which improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements such as facilities licensed under part II of chapter 400 or under chapter 429.

(7) PREEMPTION AUTHORITY.—

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, ~~the inspection of public lodging establishments and public food service establishments for compliance with the sanitation standards, inspections, adopted under this section, and the regulation of food safety protection standards for required training and testing of food service establishment personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is~~ are preempted to the state. This paragraph subsection does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.022.

(b) A local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

(c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the Department of Community Affairs pursuant to an area of critical state concern designation.

Section 3. Subsection (9) of section 509.221, Florida Statutes, is amended to read:

509.221 Sanitary regulations.—

(9) Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental or resort condominium, nontransient apartment, ~~or resort dwelling~~ as described in s. 509.242(1)(c) and; (d), ~~and~~ (g).

Section 4. Subsection (2) of section 509.241, Florida Statutes, is amended to read:

509.241 Licenses required; exceptions.—