



ORDINANCE #542

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-231 OF THE CODE TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.

1 **WHEREAS**, the short-term rental of residential units and dwellings is an increasing segment of the
2 rental market across the country; and,

3
4 **WHEREAS**, there are numerous short-term rental listings in the Town of Abita Springs; and,

5
6 **WHEREAS**, the regulation of short-term rentals is necessary to provide minimum safety requirements
7 and for the collection of applicable taxes; and,

8
9 **WHEREAS**, the regulation of short-term rentals is necessary to protect and promote the public peace
10 and the health, safety and welfare of the citizens of the Town of Abita Springs and the occupants of
11 short-term rentals; and,

12
13 **WHEREAS**, the Board of Aldermen of the Town of Abita Springs deems these amendments
14 appropriate to protect the health, safety, and welfare of the citizens of Abita Springs; and,

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16 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Abita Springs,
17 at its regular session convened, that Section 9-231 of the Code of Ordinances of the Town of Abita
18 Springs shall be amended as follows, to wit:

19
20 Amend SECTION 9-231. Short term rentals. (1.) *Applicability*, to add two new applicable zoning
21 districts as follows. The remainder of all other applicable districts, as set forth in Section 9-231 shall
22 remain in full force and effect following the amendment below.

- 23
24 e. Midtown Cultural District as defined in Sec. 9-218.3.
25 f. Residential-Commercial Overlay as defined in Sec. 9-229

26
27 Amend SECTION 9-231. Short term rentals. (2.) *Regulations*. as follows.

- 28
29 a. The short-term rental permit shall be in the name of the owner, who shall be an owner of the real
30 property upon which the short-term rental use is to be permitted. The owner shall provide a real
31 property document, translative of title, recorded in the St. Tammany Parish Clerk of Court's
32 Office.
33 b. The owner shall keep on file with the town the name, address, telephone number, cell phone
34 number, and e-mail address of a local agent who shall be responsible for responding to

- 35 questions or concerns regarding the operation of the short-term rental. This information shall
36 be posted in a conspicuous location within the short-term rental dwelling. The local contact
37 person shall be available 24 hours a day to accept telephone calls and respond physically to the
38 short-term rental within 60 minutes when the short-term rental is rented and occupied.
- 39 c. One person may hold no more than one short-term rental permit. On property zoned
40 residential, with more than one livable structure, only one will be allowed to be a short-term
41 rental. The permit shall not be transferable between structures.
- 42 d. Short-term rentals shall not be operated outdoors or in a recreational vehicle.
- 43 e. Short-term rentals use shall be limited to residential dwelling units existing and constructed as
44 of the date of application for the short-term rental permit.
- 45 f. Short-term rental dwellings shall meet all applicable building, health, fire, and related safety
46 codes at all times and shall be inspected by the fire department before any short-term rental
47 activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide
48 detector.
- 49 g. A minimum of one on-site parking space shall be provided for use per bedroom used by the
50 short-term rental occupants. Vehicles shall be parked in the designated area onsite and shall not
51 be parked on the street.
- 52 h. The short-term rental shall appear outwardly to be a residential dwelling. No exterior signage
53 or other exterior evidence that the property is used for short-term rental shall be permitted
54 except for a sign not more than four square feet showing the name of the house.
- 55 i. Use of the short-term rentals for commercial functions, ceremonies, and/or other special events
56 shall be prohibited.
- 57 j. The owner shall ensure that the occupants and/or guests of the short-term rental use do not
58 create unreasonable noise or disturbances, engage in disorderly conduct or violate provisions
59 of this Code or any state law pertaining to disturbing the peace, disorderly conduct,, or the use
60 of illegal drugs or be subject to fines and penalties levied by the town up to and including
61 revocation of the short-term rental permit.
- 62 k. The owner, upon notification that occupants and/or guests of his or her short-term rental use
63 have created unreasonable noise or disturbances, engaged in disorderly conduct or committed
64 violations of this Code or state law pertaining to disturbing the peace, disorderly conduct, or
65 the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests
66 or be subject to fines and penalties levied by the town up to and including revocation of the
67 short-term rental permit.
- 68 l. The owner shall maintain an occupational license and pay all occupancy taxes required by law,
69 including but not limited to state sales tax and hotel/motel occupancy tax.
- 70 m. No food service shall be provided by the owner or anyone on his behalf.
- 71 n. In all zones, all units in a single structure are eligible for a short-term rental permit.
- 72 o. The following “welcome information” shall be posted in a conspicuous location on an interior
73 wall inside the short-term rental for the safety and convenience of the occupants. As an
74 alternative to posting, the information may be provided in a “welcome binder” placed on a
75 coffee table, kitchen table, or other prominent location in the short-term rental.
- 76 • The address of the short-term rental,
 - 77 • the location of the nearest hospital,
 - 78 • the Emergency Number is 911,
 - 79 • the current non-emergency police telephone number

- 80 • the dates and approximate times of trash and recycling pick up and procedures,
- 81 • the Emergency Contact: Name and phone number of the designated responsible party,
- 82 • emergency evacuation instructions,
- 83 • the floor plan showing emergency exits and shutoff valves,
- 84 • a statement of the presence of natural gas in the residence if applicable.

85
86 Any short-term rental located in a residential district requires notice of the need to respect the
87 peace and quiet of the neighborhood residents which shall state as follows: “Please be a good
88 neighbor by not making excessive noise or engaging in boisterous behavior, especially after
89 10:00pm. Such behavior can deprive your neighbors of the peaceful enjoyment of their
90 homes”.

91 (3) **Permits.** Prospective owner-applicants of short-term rental use shall apply for an annual permit with
92 the Planning Director in accordance with the provisions of this section and on a form provided by
93 the town. The application must be approved by the Zoning Commission. A short-term rental permit
94 is a privilege, not a right, and may be revoked or not renewed based on non-compliance with the
95 requirements provided herein.

96 a. The application shall be accompanied by the short-term rental application fee as set forth herein to
97 cover the administrative costs of issuing a short-term rental permit and, but not limited to,
98 inspecting the following information:

- 99 1. The name, address, and phone number of the applicant, and verification that the applicant
100 is the owner of the property.
- 101 2. The assessor's parcel number of the lot on which the short-term rental use is proposed;
- 102 3. A site and floor plan identifying the location of parking on the site and the location of any
103 bedrooms to be used for short-term rental use;
- 104 4. Evidence that the property has current, valid liability insurance of \$500,000.00 or more
105 with proof that such coverage includes use as a short-term rental property; and
- 106 5. Acknowledgment of compliance with all regulations pertaining to the operation of a
107 short-term rental.
- 108 6. Occupational License
- 109 7. Fire Marshal Inspection Report
- 110 8. Copy of the required “Welcome Information”

111 b. The permit term for all short-term rental permits shall run from April 1 to March 31 of each
112 year, regardless of when issued. All permits must be renewed annually.

113 c. There shall be no more than fifteen short-term rental permits issued by the town annually.

114 d. The application fee shall be \$25.00. The annual permit fee for a short-term rental permit shall
115 be \$250.00.

116 e. Any fraud, material misrepresentations, or false statements contained in the attestations,
117 required documentation, or correlating application materials shall be grounds for immediate
118 revocation of a short-term rental permit. Furthermore, all requirements herein shall be
119 continuously maintained throughout the duration of the permit.

120 f. In the instance that a property with a short-term rental permit is sold, the issued permit is
121 transferable and will remain in effect for sixty days. The new property owner shall apply
122 within 60 days from the act of sale to apply for the renewal permit.

123 g. If an application is a renewal, it must be submitted by March 1. The application will be
124 reviewed administratively by the Planning and Zoning Director. Permits shall be issued upon
125 remittance of applicable fees and a determination that the applicant is in compliance with all
126 town ordinances. Properties found, in mayors court, to be in violation of town ordinances
127 which have not been remediated at the time of the application are ineligible for renewal.

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129 (4) **Violations.** Any violation of this section and the correlating provisions in this chapter may subject a
130 violator to any remedy, legal or equitable, available to the town. Violations include but are not limited
131 to: advertisement or rental of a short-term rental without proper permitting, operation outside the scope
132 of any of the applicable short-term rental regulations provided by law and advertising a short-term
133 rental outside the permitted scope of a short-term rental permit. The planning director may suspend,
134 revoke or not renew any permit issued pursuant to this section if the planning director determines that
135 the permit holder has violated any provision of this section, two or more times. Remedies include but
136 are not limited to: revocation of a short-term rental permit, daily fines, and property liens, as more
137 fully provided in section 1-108 of this chapter. Each day of violation shall be considered a separate
138 offense. Nothing contained herein shall be construed to limit the legal remedies available to any other
139 person for the correction of violations of this section.

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141 BE IT FURTHER ORDAINED that all other sections of Chapter 2 shall remain the same and in full
142 force.

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144 BE IT FURTHER ORDAINED that if any provision of this Section shall be held to be invalid, such
145 invalidity shall not affect other provisions herein which can be given effect without the invalid
146 provision and to this end the provisions of this ordinance are hereby declared to be severable.

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148 Introduced on a motion of Alderman Saussy, seconded by Alderman Boudreaux on the 5th day of
149 December 2023. Adopted on a motion of Alderman Saussy and seconded by Alderman Boudreaux
150 on the 23rd day of 2024.

151
152 The vote was:

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154 Ayes: 4, Aldermen Boudreaux, Patterson, Saussy, and Templet

155 Nays: 0

156 Abstentions: 0

157 Absent: 1, Alderman Congemi

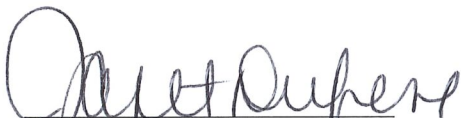
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Janet Dufrene, Town Clerk


Daniel J. Curtis, Mayor