(Resized from Legal to Letter) STATE OF SOUTH CAROLINA) Petition To Limit Investment Short Term Rental CITY OF FOLLY BEACH) Business Licenses to a maximum of 800

To the Mayor and City Council of Folly Beach:

We the undersigned voters of the City of Folly Beach request that the City adopt the following ordinance: TO LIMIT INVESTMENT SHORT TERM RENTAL BUSINESS LICENSES TO A MAXIMUM OF 800. This Petition is submitted pursuant to the South Carolina Code of Laws, section 5-17-10, *et seq*.

Whereas the unrestricted growth of the number of *investment short term rentals* within the City of Folly Beach:

- lowers the quality of life for its residents
- stresses the city's infrastructure & environment
- places extra ordinary burdens on the city's public services sector and
- poses an existential threat to the community.

Whereas the requisite number of voters have affixed their names to this PETITION TO LIMIT INVESTMENT SHORT TERM RENTAL BUSINESS LICENSES TO A MAXIMUM OF 800, pursuant to South Carolina Code of Laws, section 5-17-10 et seq;

NOW THEREFORE:

We the undersigned request that the following additions be inserted into Chapter 117 of the Folly Beach Code of Ordinances:

DEFINITIONS:

- 1. *Investment Short Term Rental (ISTR)* A dwelling unit licensed for short term rentals, whose owner does not claim the licensed property to be their primary residence.
- 2. **Owner-Occupied Short Term Rental (OSTR)** A property and/or dwelling unit, in whole or part, licensed for short term rentals whose owner claims the licensed property to be the owner's primary residence as evidenced by: (a) current S.C. drivers license or S.C. identification card, (b) the address where they are, or may be, enrolled and registered to vote in local, state and federal elections and (c) the physical address used for the purpose of filing local, state and federal income taxes.

SHORT TERM RENTAL BUSINESS LICENSES:

- (A) The City is authorized to issue two classes of short term rental business licenses:
 - (1) Investment Short Term Rental business license, and
 - (2) Owner-Occupied Short Term Rental business license.
- (B) Owner Occupied Short Term Rental Business License:
 There will be no limit on the number of Owner Occupied Short Term Rental business licenses issued.
- (C) Investment Short Term Rental CAP
 - (1) The maximum number of permitted Investment Short Term Rental business licenses, city wide, shall be no more than 800, henceforth referred to as the CAP.
 - (a) Upon enactment the CAP shall be set at 800.
 - (2) No New Investment Short Term Rentals shall be permitted unless the total number of Investment Short Term Rentals is below the CAP.
 - (a) Exception: After enactment, all existing Investment Short Term Rental business License holders in good standing may continue to renew annually, even if the initial number of Investment Short Term Rentals exceeds the CAP.
 - (3) Investment Short Term Rental Wait List: If demand for Investment Short Term Rental business licenses exceeds the CAP a wait list will be established and maintained by the City of Folly Beach.
 - (a) When the number of allowable Investment Short Term Rental business licenses falls below the CAP, a license shall be offered by US Mail to the next qualified applicant on the wait list.
 - (b) If the applicant fails or neglects to complete an application for an Investment Short Term Rental business license within 45 days after notice is given, the city shall deem the offer to have been rejected and thereupon offer the available business license to the next listed applicant.
- (D) Non-transferable
 - (1) Investment Short Term Rental wait list status terminates upon transfer of property and is non-transferable.
 - (2) Investment Short Term Rental business licenses terminate upon transfer of property and are non-transferable.
 - (3) Owner Occupied Short Term Rental business licenses terminate upon transfer of property and are non-transferable.