

**An Ordinance Establishing Article VI. – Short Term Rentals of the City of Trussville Code of Ordinances, Chapter 18 – Businesses, Setting Forth Regulations for the Legal Operation of Short-Term Rental Businesses within the City limits**

**BE IT ORDAINED** by the City Council of Trussville, Alabama that the City of Trussville hereby establishes Article VI. – Short Term Rentals of the City of Trussville Code of Ordinances, Chapter 18 – Businesses, as follows:

**ARTICLE VI - SHORT TERM RENTALS**

**Sec. 18-226. - Definitions.**

*Short-term rental:* The transient use of any dwelling or any part of a dwelling that is in compliance with City of Trussville Zoning Code Section 14 Short-Term Rental.

*Short-term rental manager:* Any person or entity that arranges the rental, cleaning, listing, advertising, or otherwise assists in the operation of a short-term rental for a profit. Short-term rental manager does not include listing services or online platforms for short-term rental listings.

*Transient:* A person(s) occupying a dwelling for less than thirty (30) days.

**Sec. 18-227. - Short-term rentals—Generally.**

- (a) The following sections notwithstanding, no person or company shall operate a short-term rental business within the corporate limits of the City of Trussville outside of the designated overlay districts listed in City of Trussville Zoning Code Section 14, without obtaining a special exception in accordance with Section 14 B 1.
- (b) It shall be unlawful for any person, company, or entity to list, advertise, or hold out for rental, any room or building as a short-term rental without first obtaining a business license from the City of Trussville, and including said business license number on the advertisement or listing.
- (c) The name and telephone number of a local responsible party shall be conspicuously posted within the short-term rental property unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short-term rental period to address problems or complaints associated with the short-term rental property.
- (d) The short-term rental shall comply with all applicable city regulations regarding garbage and trash.
- (e) The short-term rental shall adhere to all applicable noise provisions of the City of Trussville.
- (f) Before a business license can be renewed for short-term rental in any area outside of the Downtown Overlay District, the owner shall submit to an audit to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed. The owner shall be responsible for all data and document retention required for compliance with this ordinance.
- (g) Condominiums and apartments will be limited to a license cap of thirty (30) inside the Downtown Overlay District. The City Council may, as a special exception, approve the short-term rental of a dwelling within an apartment or condominium that would exceed the license cap subject to the following:
  - 1. The owner's compliance with provisions of Section A. 1. a.-h. of Section 14 A 1 of the City of Trussville Zoning Code.
  - 2. Approvals will be granted for a period of three (3) years unless otherwise specified by the City Council for a shorter period.

**Sec. 18-228. - Short-term rentals—License required; short-term rental lodging tax rates.**

Every person in the city who rents or furnishes any room, lodging or accommodation as a short-term rental, shall withhold and remit to the city a short-term rental lodging tax for each short-term rental location as follows:

- (a) If such business is being conducted within the corporate limits of the city the short-term rental lodging tax shall be in an amount to be determined by the application of the rate

of eleven (11) per cent of the charge for such room, lodging or accommodation including the charge for use or rental of personal property or services furnished in such room.

- (b) No short-term rental business shall operate in the city without having first obtained a business license from the city.
- (c) Business licenses for short-term rentals located in an area capped by Section 14 A 1 that are not renewed will be subject to the license cap upon subsequent reapplication.

**Sec. 18-229. - Payment due date; delinquency.**

The business license and short-term rental lodging tax shall be in addition to every other license levied by the city and shall be due and payable in monthly installments on or before the twentieth day of month next succeeding the month in which the license accrued. The licensee shall compute the amount of tax due and pay the same to the revenue director of the city at the time of making the monthly report.

**Delinquency**—Any person who fails to pay the short-term rental lodging tax within the time required shall pay an additional tax equal to ten (10) per cent of the amount of tax due as a penalty. Such penalty shall be assessed and collected as part of the short-term rental lodging tax.

**Sec. 18-230. - Filing statement.**

On or before the twentieth day of each month, every person upon whom a license is issued shall render to the revenue director of the city, on a form prescribed by the revenue director of the city, a true and correct statement showing the gross proceeds of such person's business licensed for the preceding month, together with such other information that the revenue director may demand and require.

Individuals utilizing a third party for lodging tax collections shall submit a transaction history detail provided by the third party or other similar document that shows the dates booked, gross revenue and tax submitted.

**Sec. 18-231. - Building code compliance required.**

Every premises in the city subject to an application for a short-term rental business license must meet applicable building codes and be equipped with required safety equipment as set out below:

- (a) A single-family dwelling, less than three (3) stories, in which the whole dwelling will be rented as a short-term rental as well as any guesthouse, which is a separate dwelling from the primary structure, must be equipped with the following safety equipment:
  - 1. Smoke detectors and carbon monoxide detectors connected to a residential fire alarm.
  - 2. Operable egress windows in sleeping areas.
  - 3. Proper hand and guardrails.
  - 4. GFIC protection where required by the current National Electrical Code.
  - 5. Fire extinguishers.
  - 6. Properly displayed 9-1-1 address.
  - 7. Emergency lighting egress.
  - 8. Knox rapid entry system
- (b) In addition to the requirements listed in subsection (a), a single-family dwelling, less than three (3) stories, which is occupied by the owner during rentals and/or in which individual rooms are rented to separate lodging parties and which have less than five (5) guest rooms as well as bed and breakfast dwellings which are owner occupied with five (5) or fewer guest rooms must be equipped with a fire sprinkler system in conformance with the most recently adopted Building Code.
- (c) In addition to the requirements listed in subsection (a), bed and breakfast dwellings with more than five (5) guest rooms and boarding houses must meet applicable building and fire codes.
- (d) In addition to the requirements listed in subsection (a), short-term rentals that are located within multi-family buildings must meet all applicable building and fire codes.



**Sec. 18-232. - Inspection required; fees.**

Prior to the issuance or renewal of a short-term rental business license every premises in the city must be inspected for compliance with the City of Trussville building code.


- (a) Prior to initial issuance of a short-term rental license, short-term rentals located in a single-family dwelling must be inspected by the Fire Marshall and a licensed home inspector, or other individual approved by the city's chief building official. An inspection report must be completed on the form established by the city's chief building official. Prior to renewal of a short-term rental license for a rental located in a single-family dwelling, an inspection report described above performed less than twenty-four (24) months prior must be on file with the revenue division. Prior to each renewal, the property owner shall certify that no changes affecting the prior inspection have been made.
- (b) Short-term rentals located in bed and breakfasts or multi-family buildings must be inspected by citythe city fire department and building inspector.
- (c) The Citycity building inspector and fire marshal are permitted to assess one inspection fee not to exceed \$100.00 to offset the expense of the inspection.

**Sec. 18-233. - Designation of agent; professional license required.**


- (a) In order to be eligible for a short-term rental business license a person or company desiring to operate a short-term rental business must be the owner of the property proposed to be covered under the license or have a completed "designation of agent" form from the property's owner.
- (b) Any person or entity operating as a short-term rental manager must obtain a business license and must be professionally licensed in compliance with Ala. Code § 34-27-30.

ADOPTED AND APPROVED THIS THE 25TH DAY OF APRIL 2023

  
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Lisa L. Bright, Council President

  
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Buddy Choat, Mayor  
City of Trussville

Attest:

  
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Dan Weinrib, City Clerk


**CERTIFICATION OF CITY CLERK**

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the 25th day of April 2023.

The above and foregoing ordinance was published on the 26th day of April 2023 by posting copies thereof in three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this 26th day of April 2023.

  
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Dan Weinrib, City Clerk