



For Office Use Only:

Application No. _____

Vacation Rental Application Process

Vacation Rental Applications can be obtained in person at Town Hall, 507 Ocean Avenue, or on the Town website at www.melbournebeachfl.org. Once complete, the application should be submitted to Town Hall for review. Please ensure the items listed below are submitted with the application.

Failure to provide these items, including the application fee, will result in a delay of the application review process.

Application Date: _____

Owner/Responsible Party Name: _____

Vacation Rental Address: _____

REQUIRED DOCUMENTS	YES	NO
Vacation Rental Registration Application and Affidavit of Compliance.		
Agent Authorization, if applicable.		
Proof of Property Ownership (BCPA or Sunbiz)		
An exterior sketch of the Vacation Rental facility. The sketch shall show and identify all structures, pools, spas, hot tubs, fencing, and uses (water feature, fire pit, propane tanks), including areas provided for off-street parking. For purposes of the sketch, off-street parking spaces (9x20 ft. ea.) shall be delineated so as to enable a fixed count of the number of spaces provided. At the option of the Vacation Rental Owner, such sketch may be hand drawn (vs. computer generated) and need not be professionally prepared, but must be scaled , must show dimensions , and must show scale size used .		
Interior building sketch by floor. A building sketch by floor shall be provided, showing a floor layout identifying all bedrooms, other rooms, exits, hallways, stairways, and safety equipment (smoke detectors, carbon monoxide detectors, fire extinguishers, etc.) as applicable. Such sketch may be hand drawn (vs. computer generated), and need not be professionally prepared, but must be scaled , must show dimensions and must show scale size used .		
Licensure with the Florida Department of Business and Professional Regulation for a transient public lodging establishment.		
License with the Florida Department of Revenue for sales and development tax collection. If no such certificate or account, provide name of entity through which taxes will be remitted.		
Brevard County for Tourist Development Tax Number.		
Payment of Vacation Rental Application Fee of \$850.00 and Inspection Fee of \$200.00		

RESOLUTION NO. 2024-11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FEE SCHEDULE FOR VACATION RENTAL REGISTRATION, RENEWAL OF VACATION RENTAL REGISTRATION, INITIAL AND ANNUAL INSPECTION FEES, AND LATE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Commission of the Town of Melbourne Beach has determined the need to update and revise its vacation rental fee schedule; and

WHEREAS, Ordinance No. 2020-02 provides that the Town Commission may adopt fees for registering, renewing the registration annually, amending the named responsible party, the initial and annual inspection fees, and penalties for non-compliance; and

WHEREAS, the Town Commission of the Town of Melbourne Beach desires to amend the imposed fees and services previously adopted by Resolution No. 2020-06.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Amendment to the Town of Melbourne Beach Vacation Rental Fee Schedule. The Town Commission hereby adopts the following fees associated with Vacation Rentals:

Vacation Rental Fee Schedule (Non-Refundable Fees)	
Vacation Rental Application and Registration Fee	\$500 <u>\$850</u>
Annual Renewal Vacation Rental Registration Fee	\$350 <u>\$600</u>
Initial and Annual Safety Inspection Fee	\$150 <u>\$200</u>
First Re-Inspection	\$85 <u>\$100</u>
Second and Each Subsequent Inspection	\$150 <u>\$200</u>
Change of Ownership Vacation Rental Application and Registration Fee (within 30 days)	\$500 <u>\$850</u>
Modification of Existing Vacation Rental Registration	\$250
Permanent Transfer of Responsible Party Fee	\$100
Temporary Transfer of Responsible Party Fee, Each Occurrence (30 days in any 12 month period)	\$25
Late Fee for Annual Registration Renewal	\$200 <u>\$250</u>
Penalty for Operating Without Registration, in Addition to Applicable Penalties Imposed Pursuant to Article II, Chapter 11 of the Town of Melbourne Beach Code of Ordinances	\$250

Vacation Rental Application

This packet includes the following documents:

- 1. Vacation Rental Includes Registration Application
- 2. Vacation Rental Affidavit of Compliance
- 3. Owner Authorization for Responsible Party
(If applicable)

Circle all that Apply

New Application
Renewal
Modification to Property
Assign/Change Responsible
Party Permanent
Temporary, Dates:

Is Property Homesteaded: Yes No (Circle)

_____ Website(s) Used for Advertising

(URL):

ID # _____

PROPERTY INFORMATION					
Vacation Rental Address:					
Landline Phone #:					
Zoning District:		Swimming Pool:		Hot Tub:	
# of Paved On Property Parking Spaces:		Square Footage of Living Area Under Air, Excluding Garage:			
# of Bedrooms:		Maximum Occupancy Requested:			

OWNER/AGENT INFORMATION			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email:			
Responsible Party:	Yes	No	

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The responsible party must be available 24/7 and be able to immediately address and take affirmative action within 1 hour of being contacted. A responsible party must be assigned below if the property owner is unable to meet this requirement.

RESPONSIBLE PARTY CONTACT INFORMATION (If Other than Owner/Agent)			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email:			

Signature of the applicant (owner/agent or responsible party) grants authorization to the Town of Melbourne Beach staff to inspect the premises of the vacation rental unit prior to the issuance of the Certificate of Compliance and at any other time after issuance of certificate concerning compliance with Chapter 74, Town of Melbourne Beach Code of Ordinances. Signature also certifies that the owner/responsible party has read and examined this application and knows that same is true and correct.

Applicant Name (Please Print): _____

Applicant Signature: _____

Date: _____

Affidavit of Compliance

Before me, _____ personally appeared
Owner Responsible Party

after being duly sworn state he/she personally knows the facts stated herein.

1. As of the date this affidavit is signed, I am the known owner, a person who is a principal of an entity, and/or the responsible party of the residence located at, Melbourne Beach, Florida.
2. On this date _____, I submitted or authorized an application for the _____ registration, _____ renewal registration, of a residence as a vacation rental and request for a Certificate of Compliance to the Town of Melbourne Beach.
3. I hereby certify that the Vacation Rental is in compliance with the provisions of Chapter 74 of the Town of Melbourne Beach Code of Ordinances and other applicable local, state, and federal laws, regulation, and standards to include, but not be limited to Chapter 509, Florida Statutes, and Rules, Chapter 61C and 69A, Florida Administrative Code, and will continue to operate within those guidelines including but not limited to the following:

Vacation Rental Compliance Requirements and Standards

1. **Licensing:** Obtain and maintain Brevard County Business Tax Receipt (if applicable), Florida Department of Revenue certificate of registration for purposes of collecting and remitting tourist development taxes, sales surtaxes and transient rental taxes, Brevard County for Tourist Development Tax; and Department of Business and Professional Regulation license as a transient public lodging establishment.
2. **Local Telephone Service:** At least one landline telephone with the ability to call 911 shall be available in the main level common area in the vacation rental. The number must be registered with Brevard County Emergency Management to receive emergency notifications and the City of Melbourne for the purpose of receiving boil water alerts.
3. **Fees:** Fees are non-refundable.
4. **Pre-Inspection Checklist:** I have reviewed the Pre-Inspection Checklist and to the best of my ability believe the structure is in full compliance with the noted requirements.
5. **Interior Posting:** In each Vacation Rental, there shall be provided, in a prominent location on the inside of the Vacation Rental, the following written information:
 - The official street address and landline telephone phone number of the Vacation Rental.
 - The name, address, and phone number of the Vacation Rental Owner or Responsible Party as applicable.
 - The maximum occupancy of the Vacation Rental.

- A copy of a document to be supplied by the Town which includes excerpts from Town of Melbourne Beach Code of Ordinances of general application relevant to Vacation Rentals, including, but not limited to, solid waste and recycling pick-up regulations and days/times, regulations related to sea turtles and sea turtle lighting, parking, and noise regulations. Said document shall also be included as an addendum to each Vacation Rental Agreement. The Town will make available to Vacation Rental Owners and agents a copy of such document in digital format upon request and the Town will post such document on its website.
 - The maximum number of vehicles that will be allowed to park at the Vacation Rental, along with a sketch of the location of the paved off-street parking and a notice that visitors to the Vacation Rental, must comply with Article III, Section 30, Town of Melbourne Beach Code of Ordinances.
 - The days and times of trash and recycling pickup.
 - Phone number and address of Holmes Regional Medical Center Melbourne and Health First Viera Hospital and directions from the Vacation Rental to the hospital.
 - Emergency and nonemergency phone numbers for Melbourne Beach Police and Fire Departments.
 - Emergency evacuation instructions.
 - Information from the National Weather Service, available via from weather.gov/mlb regarding the dangers of Rip Currents that occur in the Atlantic Ocean.
 - Notice of the need for respect for the peace and quiet of neighborhood residents in compliance with Chapter 48, Town of Melbourne Beach Code of Ordinances. A statement shall specifically provide that occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times
 - Next to the interior door of each bedroom, and the exterior doors exiting the Vacation Rental a legible copy of a building evacuation map - Minimum 8-1/2" by 11".
6. **Parking:** All vehicles associated with the Vacation Rental must be parked in compliance with the Town of Melbourne Beach Code of Ordinances. All vehicles associated with the vacation rental must be parked within a designated paved parking space or driveway located on the subject property. There shall be no sidewalk, on street, right-of-way, or grass parking.

Parking of trailers, boats, and recreational vehicles at Vacation Rentals shall be in accordance with § 7A67, Appendix "A," Land Development Code.

7. **Property Owner/Agent/Responsible Party:**

- Availability. Every Vacation Rental Owner or Responsible Party, as applicable, shall be available by phone at the listed phone number 24-hours a day, seven days a week to respond to police, fire, or other emergency personnel requests. Otherwise, response to attempted contact by the Town's Vacation Rental regulatory personnel shall be required only Monday through Friday, except holidays, from 9 a.m. to 5 p.m. The Responsible Party shall promptly respond to complaints regarding conduct or behavior of Vacation Rental occupants or alleged violations of these regulations. The Responsible Party must have authority to immediately address and take affirmative action, within one (1) hour of notice from the Town, on violations concerning life safety, noise, and parking violations.

- **Responsible Party Changes.** A Vacation Rental Owner may change his or her designation of a Responsible Party temporarily, up to thirty (30) cumulative days during any consecutive twelve (12) month period, or permanently: however, there shall only be one designated Responsible Party for each vacation rental property at any given time. To change the designated Agent or Responsible Party, the Vacation Rental Owner shall notify the Town in writing including all information required by § 74-16 (b)(3) Town of Melbourne Beach Code of Ordinances, along with a signed affidavit from the new Responsible Party acknowledging and agreeing to serve in this capacity and perform the duties required by Chapter 74 of the Town Code of Ordinances.

8. Sexual Offenders:

A Vacation Rental Owner or Responsible Party is responsible for ensuring sexual offenders/predators as defined in § 775.21, § 943.0435, § 944.607, or § 985.4815 register at the Brevard County Sheriff's office and the Town of Melbourne Beach Police Department following the process set forth in § 775.21, 48 hours prior to arrival at a vacation rental, regardless of the length of stay.

A Vacation Rental Owner and/or Responsible Party shall comply with Florida Law, Chapter 775.215, as amended from time to time, pertaining to the distance separation of homes with a sexual offender/predator residing within the Vacation Rental and any business, school, child care facility, park, playground, or other places where children regularly congregate.

The Vacation Rental Owner or Responsible Party shall inquire prior to check-in if any guest of at the Vacation Rental is a sexual offender/predator as defined in §775.21, §943.0435, §944.607, or §985.4815. If any guest of a Vacation Rental is a sexual offender/predator as defined in §775.21, §943.0435, §944.607, or §985.4815, the operator shall immediately notify the Melbourne Beach Police Department.

Failure to comply with this section shall result in the revocation of the Vacation Rental Registration for the Vacation Rental and other enforcement provisions outlined in Chapter 74, Town Code of Ordinances.

9. Changes or Alteration to the Property or Operation:

An amendment of a Vacation Rental Registration Application and Affidavit of Compliance shall be required, with payment of the appropriate fee set by resolution, in the event that any of the following changes to the Vacation Rental are proposed:

- (1) An increase in the number of bedrooms in the Vacation Rental.
- (2) An increase or decrease in the number of parking spaces or a change in the location of parking spaces for the Vacation Rental.
- (3) A change in the designated Responsible Party.

10. A change of ownership shall require a new application and all required documents including appropriate fees set by resolution.

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I hereby also acknowledge that the approval of this Certificate of Compliance shall in no way permit any activity contrary to the Town of Melbourne Beach Code, or any activity that would constitute a nuisance under state or local law. I understand and acknowledge that the approval for use of this residence as a vacation rental is based on my representations to Town Staff, and does not in any way constitute an evaluation or determination of legal or legal non-conforming status of the improvements on this site. I further acknowledge that it is my responsibility, as property owner and/or responsible party, to ensure that the conduct of this vacation rental is not contrary to any ordinance, code, or restriction which may govern the property on which the vacation rental will be conducted, which property address is referenced above. I acknowledge that any misrepresentation made by me or by my agent in applying for this certificate may render the certificate invalid.

I hereby certify that the information contained herein and included with this application is accurate.

Property Owner/Agent Name (Please Print): _____

Signature: _____ Date: _____

OR

Responsible Party Name (Please Print): _____

Signature: _____ Date: _____

State of Florida
County of Brevard

THE FOREGOING APPLICATION was sworn to (or affirmed) and subscribed before me by means of ____physical presence or ____online notarization, this _____ day of _____ 20____ by

(name of person acknowledging)

(NOTARY SEAL)

Signature of Notary

Name of Notary Typed, Printed, or Stamped

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

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VACATION RENTAL AGENT AUTHORIZATION

PROPERTY OWNER INFORMATION			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email:			

AGENT INFORMATION			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email:			

The undersigned, an owner or officer for the Vacation Rental Owner of the property located in the Town of Melbourne Beach, Florida at _____ hereby authorizes the above named agent to perform the duties and functions of a Vacation Rental Owner on behalf of the above named Property Owner.

Property Owner/Agent Name (Please Print): _____

Signature: _____ Date: _____

State of Florida
County of Brevard

THIS AGENT AUTHORIZATION was sworn to (or affirmed) and subscribed before me by means of ____physical presence or ____online notarization, this _____ day of _____ 20____ by

(Name of person acknowledging)

(NOTARY SEAL)

Signature of Notary

Name of Notary Typed, Printed, or Stamped

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____