

AN ORDINANCE TO AMEND THE TEXT OF SEC. 106-1 (DEFINITIONS), SEC. 218-1 (PERMITTED USE TABLE), SEC. 206-1 (W-P WATERSHED PROTECTION DISTRICT), AND SEC. 218-13 (STANDARDS OF USE AND DEVELOPMENT) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, REGARDING SHORT-TERM RENTALS; AND AMENDING THE SUPPLEMENTAL REGULATIONS RELATED THERETO; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

WHEREAS Title 2, the Unified Development Ordinance of Rockdale County (Subpart B – Planning and Development of The Code of Rockdale County, Georgia), as amended, governs land use and zoning; and

WHEREAS provisions within the Unified Development Ordinance pertaining to Short-Term Rentals to create standardized regulations and criteria governing the location and density of Short-Term Rentals sites to protect health, safety, climate, welfare, and economic growth; and

WHEREAS public hearings were held following public notice and all other requirements of Sec. 238-4 of the Unified Development Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, and it is hereby ordained by the authority of same as follows:

Section I

That Sec. 106-1 entitled “Definitions” subsection (c) entitled “Definitions” is hereby amended by enacting the following: *Short Term Rentals*.

The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Bedroom shall mean an attached room that is intended, arranged, or designed to be occupied by one or more people primarily for sleeping purposes.

County shall mean Rockdale County, Georgia.

Garbage shall mean and include all waste and accumulation of animal, fruit, or vegetable matter that attends or results from the preparation, use, handling, cooking, serving or storage of meats, fish, fowl, fruit, vegetable matter of any nature whatsoever, which is subject to decay, putrefaction, and the generation of noxious and offensive gases and odors, or which may serve as breeding or feeding materials for flies and or germ-carrying insects. Garbage, for the purposes of this Section, shall also include recyclable materials and rubbish, as defined in the Rockdale County Code of Ordinances Sec. 78-46

Guests shall mean anyone who has a home address somewhere other than where he or she is spending the night and other than where he or she pays a fee for accommodation.

Local contact person shall mean a person, firm, or agency representing an owner(s) of a Short-Term Rental who has access and authority to assume operational management of the short-term rental and take remedial measures.

Noise Prohibited shall mean, it shall be unlawful for any occupant of a short-term vacation rental to make, continue or cause to be made or continued any excessive, unnecessary, or unusually loud noise which disturbs the peace or quiet of anyone in the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity.

Occupancy, Transient, shall mean occupancy or use by a paying guest or tenant for thirty (30) consecutive days or less. Such an occupancy is characteristic of Short-Term Rentals or other establishments, by whatever name they are called.

Operator shall mean any person operating a Short-Term Rental (as defined in this section) in Rockdale County, including but not limited to the owner or proprietor of the premises, lessee, lender in possession, or any other person otherwise operating a Short-Term Rental.

Owner shall mean a person or entity that holds legal and equitable title to private property.

Premises shall mean and include all physical buildings, appurtenances, parking lots, and all property owned and/or used by and for the Short-Term Rental.

Private shall mean intended for or restricted to the occupants and or guests of the Short-Term Rental, not for public use.

Rental Term shall mean the period of time a person rents or leases a Short-Term Rental

Short Term Rental shall mean any residential property, facility, or structure used for transient occupancy providing overnight lodging and accommodation for 30 consecutive days or less.

Special Event or Private Function shall mean an organized activity for profit or non-profit having as its purpose entertainment, recreation, and education, including but not limited to a festival, party, reception, celebration, or assembly.

Section II

That Sec. 218-1, entitled "Table of Permitted Uses," is hereby amended by enacting the following:

Short-term rentals are permitted in A-R (Agricultural-Residential) and permitted with approval of a Conditional Use Permit in R-1 (Single-Family Residential) in accordance with the supplemental regulations found in Sec. 218-13 (mmm2).

NAICS Code	Uses	Sec. 218-13	Suppl Reg?	A-R	R-1	R-2	CRS	CSD	CUD	MRU	RM	CID	O-I	NC	MxD	C-1	C-2	OBP	M-1	M-2	CSO
	Short Term Rental	(mmm1)	Yes	P	C																

Section III

Sec. 206-1 entitled *W-NR: (Watershed/non-reservoir area)* is hereby amended by enacting the following:

Short-term rentals are permitted in *W-NR (Watershed/non-reservoir area)* in accordance with the supplemental regulations found in Sec. 218-13 (mmm2).

Specified Use	W-NR	W-RW	W-RR	W-RB	W-RP
Short Term Rental	P				

Section IV

That Sec. 218-13 entitled "Supplemental Standards of Use and Development" is hereby amended by adding subsection (mmm1) and enacting the following:

- (a) All structures used for short-term rentals shall satisfy the National Fire Protection Association and International Fire codes, as adopted and amended by the Georgia Department of Community Affairs and the Rockdale County Code of Ordinances.
- (b) All swimming pools, spas, and hot tubs shall comply with the International Swimming Pool and Spa Code as adopted and amended by the Georgia Department of Community Affairs and the Rockdale County Code of Ordinances as it applies to barriers and floatation devices.
- (c) No exterior alterations may be made to a residence to indicate that it is being used as a short-term rental. House numbers shall always be visible from the public street.
- (d) No advertising shall be visible from the street or adjoining properties.
- (e) No detached structures, guest houses, or recreational vehicles or trailers shall be used as a short-term rental.
- (f) Only a bedroom as defined herein shall be used for overnight sleeping quarters.
 - (1) Every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.
 - (2) Except where there is only one bedroom, bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
 - (3) Every bedroom shall have access to a bathroom without passing through another bedroom.
 - (4) Every bedroom shall have at least six (6) square feet of floor to ceiling heated closet space, and for each permissible occupant over two, there shall be an additional of four (4) square feet in the above described closet; however, if such space is lacking, an amount of space equal in square footage to the deficiency shall be subtracted from the area of the bedroom space used in determining permissible occupancy.
 - (5) No space located totally or partially below grade shall be used as a bedroom unless the total openable window area for allowing the entrance of outside light is equal to at least five (5) square feet and there are no pipes, ducts, or other obstructions less than six feet eight inches from the floor level which interfere with the normal use of the room or area.
- (g) No more than two persons shall be allowed per bedroom. The number of bedrooms shall be confirmed by an on-site inspection by a representative of the County, and a maximum overnight sleeping occupancy shall be established for the permit.

- (h) Short-term rental premises must be maintained in compliance with standards contained within the Rockdale County Code of Ordinances.
- (i) Each operator of a short-term rental is required to keep a guest registry containing guest names, dates of occupancy, city of permanent residency, and description and license plate number of the vehicle they are using. Each operator of a short-term rental shall keep the above-described register for a period of at least 3 years, along with receipts and invoices, dates of occupancy, and such other information required by the Planning and Development Department. Said records shall be made available for examination by the Rockdale County Board Health Department or any authorized law enforcement agency upon the operator or owner of such a short-term rental being presented with a warrant to provide such information or immediately upon exigent circumstances.
- (j) Operators of short-term rentals shall not be permitted to serve food to guests for sale or otherwise no food preparation, except beverages, is permitted within individual bedrooms.
- (k) The permit number shall be included in all advertisements for the short-term rental.
- (l) Special events or private functions are not permitted at short-term rentals. For the purposes of defining a special event, in addition to the definition contained herein, no more than 2 times the maximum overnight sleeping occupancy shall be permitted on the premises at any time.
- (e) The operator shall not permit any occupant to sublet the premises and shall notify occupants of this prohibition in the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2.

Application for Permit.

- (a) Each person seeking to obtain a permit to operate a short-term rental shall submit an application to the Planning and Development Department on a form provided by the same. The said application shall include:
 - (1) A statement that each applicant is a citizen or legal resident of the United States.
 - (2) The name, address, phone number, and email address of each applicant.
 - (3) The address of the short-term rental.
 - (4) Consent by each applicant to undergo a State of Georgia criminal background check.
 - (5) A copy of a deed showing the applicant to be the owner of the premises for which the permit is sought.
 - (6) All other state and local permits pertain to the operation of short-term rentals, including approvals, as applicable, or as determined by the Director of Planning and Development.
 - (7) A copy of the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2. This agreement shall contain, at a minimum, notice to the occupants regarding the County's noise ordinance, special event prohibition, prohibition on subleasing, and notice that failure to vacate the premises for violating the agreement will be considered trespassing and thus subject to criminal prosecution.
 - (8) An affidavit swearing to use a platform that complies with state laws and collection of appropriate sales and lodging taxes.

(9) The name, address, telephone number, and email address of the short-term vacation rental agent, which shall constitute his or her 24-hour contact information, and who shall be at least 25 years old and shall be able to be present onsite within one hour of contact.

(10) The number and location of parking spaces allotted to the premises and site plan indicating designated parking areas.

(11) The owner's agreement to use his or her best efforts to assure that use of the premises by short term vacation rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties and will abide by all other short term vacation rental regulations, and will abide by any and all other regulations established by this Code.

(12) Any other information may be required by the Planning and Development Department.

(b) All applications for a permit to operate a short-term rental shall be accompanied by the payment of applicable fees as set in a schedule of fees adopted by the County and amended from time to time.

All holders of any licenses issued pursuant to this article shall abide by the following regulations:

(a) Licensees shall not allow occupants to violate any federal, state, or local law, statute, rule, or ordinances, including, but not limited to this section, and shall maintain compliance with all requirements regarding the appointed short-term vacation rental agent.

(b) All marketing and advertising of the licensed premises shall include the prominent display of the number of the license issued pursuant to this chapter, and such license number shall be prominently displayed on the licensed premises. All marketing and advertising shall include notification of the maximum occupancy and maximum number of vehicles allowed.

(c) A licensee may retain a management agency, managing agent, operator, representative or local contact person to comply with the requirements of this section, including, without limitation, the licensing of the short-term vacation rental, the management of the short-term vacation rental and the compliance with the conditions of this license. The owner of the short-term vacation rental is responsible for compliance with the provisions of this section, and the failure of an agent, representative, or local contact person to comply with this section shall be deemed noncompliance by the owner.

(d) Each licensee shall designate a short-term vacation rental agent who has access and authority to assume management of the short-term vacation rental unit. The licensee may be designated as the short-term vacation rental agent. The name of the property owner and the short-term vacation rental agent shall, along with their email addresses and telephone numbers at which the agent may be reached on a 24-hour, seven-days-a-week basis, must be displayed with the short-term rental license. The short-term vacation rental agent shall be required to respond to the location of the short-term rental within one hour after notification of the existence of a violation of this chapter or any other provision of this Code or any disturbance requiring immediate remedy or abatement. A licensee must immediately notify the Planning and Development Department in writing upon a change of short-term vacation rental agent or any change in such agent's contact information, and such notification will be

through forms prescribed by the county clerk within five days of any change in agent or contact information.

(e) A copy of a valid short term rental license shall be posted in a conspicuous location inside the main entrance of the short-term rental and shall be presented by the owner, agent, renter, or occupant of the premises when requested by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer. The contact information for the short-term rental vacation rental license holder and agent, if applicable, must be prominently displayed within the premises at all times.

(f) The licensee must furnish the renter of the property with a copy of the ordinance from which this article is derived and a contract specifying the terms of the rental, which will include the maximum number of people allowed on the premises at any time. The said contract will also specify the maximum number of vehicles allowed on the property at any time during the rental period. The said contract will prescribe the maximum number of boats or vessels that may be docked or moored on any body of water adjacent to the short-term vacation rental unit. The property owner, agent, or occupant of the short-term vacation rental, when requested to do so, will present a copy of the rental contract to the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer.

(g) The maximum day or night occupancy for any license issued pursuant to this article shall be two persons per bedroom plus two additional persons per residence, but no rental unit shall have a maximum occupancy greater than 12.

(h) The presence of more people on the premises of a short-term vacation rental than the maximum number specified in the rental contract shall be a violation of this article, and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer may order the excess number of people to vacate the premises, and any person refusing to do so shall be subject to arrest and prosecution for disorderly conduct as provided for in the Rockdale County Code of Ordinances.

(i) It shall be unlawful for any occupant of a short-term vacation rental to make, continue or cause to be made or continue any excessive, unnecessary, or unusually loud noise which disturbs the peace or quiet of anyone in the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity. All electronic devices with speakers, including televisions, radios, and stereo systems, must be operated within the enclosed confines of the primary residence between the hours of 10:00 p.m. and 7:00 a.m. The frequent or continuous barking or other means of communication by animals that disturb the comfort or repose of the residents of any residential neighborhood shall not be allowed.

(j) The minimum age of the person signing the rental agreement is 25, and such person shall be responsible for adherence to all regulations in this section by all occupants staying at the short-term vacation rental. The person signing the rental agreement shall be required to be present at the short-term vacation rental within one hour upon request by the sheriff, any deputy sheriff, fire marshal or official, or code enforcement officer during the rental period.

(k) No vehicles shall be parked on any public or private right-of-way, and all parking shall be consistent with the parking plan submitted with the license application. The parking plan, which should be approved as part of the licensure, should be sufficient to allow adequate parking for the maximum

occupancy of the rental unit. No person occupying a short-term vacation rental shall park any vehicle illegally on any street or road nor park adjacent to any such street in a manner that would

prevent or hinder any emergency vehicle from traveling thereupon. No person occupying a short-term vacation rental shall park on any other person's property or block any driveway of any other person or property owner without permission to do so. No occupant of a short-term vacation rental shall dock or otherwise tie any boat or vessel to the dock of any other property owner without the permission of the property owner. The sheriff, any deputy sheriff, or code enforcement officer may impound any vehicle found parking in such a manner.

(l) The presence of more vehicles on the premises of a short term vacation rental, or more boats or vessels docked or moored on a body of water adjacent to the premises, than the maximum number specified in the rental contract shall be a violation of this article and the person(s) named in the rental contract shall be subject to being cited for said violation. The sheriff, any deputy sheriff, or code enforcement officer may order the owners or operators of the excess number of vehicles, boats, or vessels to remove them from the property, and any person refusing to do so may be cited for violating this article. The sheriff, any deputy sheriff, or code enforcement officer may further impound the excess vehicles, boats, or vessels that are not removed upon a request to do so.

(m) No renter shall go upon any adjacent properties or the common areas of the neighborhood community unless specifically authorized in advance and in writing by the owner of the short-term vacation rental property.

(n) No accessory structures shall be used for any overnight occupancy.

(o) Any and all pets on premises must be leashed or contained at all times. A renter should adhere to Code Chapter 18 -Animals; and Sections 18-12 and 18-13 regarding restraint and control of dogs.

(p) The premises may not be utilized for any special event, as defined by this Code, and there shall be no admission charged by the renter for access to the premises.

(q) No renter shall be allowed to sublet the premises or any rooms during rental.

(r) No renter shall be allowed to place, site, or occupy any recreational vehicles or campers on the premises during rental.

(s) All external lighting shall be directed within the parcel and shall not be allowed to impact adjacent properties.

(t) All garbage and trash must be stored in a trash container or appropriate receptacle and shall not be placed within or adjacent to any private or public right-of-way for a period greater than 48 hours.

(u) An interconnected and hard-wired smoke detection and notification system with battery backup is required and must always be operable and in good working order.

(v) Subject to state law, the use of fireworks is prohibited at all short-term vacation rentals.

(w) No licensee or person occupying a short-term vacation rental shall engage in any behavior on the premises of the rental property that constitutes a violation of the Rockdale County Code of Ordinances.

(x) A short-term rental property owner shall always have a current license on file with the Planning & Development Department.

(y) A property owner seeking to operate a short-term rental in a community that has a homeowners' association should contact the association prior to applying for a license regarding their community regulations. If a HOA approves a short-term rental, include a copy of the letter with the permit application.

Issuance of Permit.

- (a) Upon determining that an application is complete, applicable fees are paid, and all the standards of this section are satisfied, the Planning and Development Department shall issue the appropriate permit for one year for which approval was granted.
- (b) No permit shall be issued for any short term rental where any individual having interest either as an operator, owner, partner, principal stockholder, or licensee, whether such interest is direct or indirect, or beneficial or absolute, has been convicted or has taken a plea of nolo contendere within five years for a felony or any crime involving moral turpitude, or has been convicted or has taken a plea of nolo contendere within two years for any misdemeanor of any state or of the United States or any municipal or county ordinance which would have any effect on the applicant's ability to properly conduct such business, except traffic offenses. The term "conviction" as used in this section shall include adjudication of guilty plea, plea of nolo contendere, or forfeiture of a bond when charged with a crime.

Annual renewal of permit and abandonment of permit.

- (a) All permits issued pursuant to this article are annual permits that run 365 days from the issuance of the permit. Holders of existing permits in good standing shall apply to the Planning and Development Department for renewal by filing a renewal application in proper form and tendering the required fees. Renewal applications shall be accompanied by compliance documentation for payment of excise taxes and sales taxes.
- (b) The abandonment or failure to use a residence as a short-term rental for 12 consecutive months for any period shall be deemed an abandonment of the short-term rental use, and the owner shall be required to obtain a new short-term rental permit for the property.
- (c)

Transfer of Permits.

Permits are issued to the applicant and do not carry with the land or premises. No permit issued pursuant to this article shall be transferred from one person to another. Any violation of this section shall constitute due cause for probation, suspension, or revocation of the permit. **Citation for violations; Revocation of Permit; Penalty**

- (a) The Planning Department through available enforcement officers shall notify the holder of a short-term vacation rental license of all instances in which acts or omission of the owner, agent, or any individual results in a citation for a code violation or other legal infraction. Citations may be served upon the short-

term vacation rental owner, rental agent, or any individual violating the provisions of this article. Each individual code violation, regardless of whether citation for such violation is served collectively with any other violation, and each day or instance of a violation, shall be treated as a separate and independent violation.

- (b) The planning department shall maintain in each short-term vacation rental location files a record of all code violation charges, found accusations and convictions occurring at or relating to a short term vacation rental unit. When a license holder has accumulated three violations for a particular property within a period of 12 consecutive months, the county shall revoke any issued license and reject all applications for the subject premises for a period of 12 consecutive months.
- (c) If a short-term vacation rental applicant has been cited and found to be in violation of any zoning, building, health, or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.
- (d) Citations shall be heard in the same fashion as other violations of this Code. In addition to the available fines, a court of competent jurisdiction may impose any other available remedy and may suspend the subject license for one violation for the remainder of the license term, regardless of whether the subject property had previously been subject to a violation.
- (e) The following conduct shall constitute a violation for which the penalties specified herein of this section may be imposed, or the short-term rental permit revoked:
 - (1) The owner or local contact person has violated any of the provisions of this chapter; or
 - (2) The owner or local contact person has violated any zoning, building, health, or life safety provision; or
 - (3) Each day the short-term rental is marketed or rented for overnight accommodation shall constitute a separate violation.
 - (4) Failure of the owner or local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental in a timely and appropriate manner as specified herein shall be grounds for the imposition of penalties as outlined in this section.
- (f) Any violation of the provisions of this section by occupants and/or guests of the short-term rental shall be enforced pursuant to this section and any other applicable Code sections. Enforcement actions may be brought against occupants and/or guests of a short-term rental for violations of this section and any other provision of this Code, notwithstanding that this section may also make the owner or local contact person of the short-term rental responsible for the conduct constituting the violation. The penalties for violations shall be as follows:
 - (1) For the first violation within any 12-month period, the penalty shall be a citation and a fine not to exceed \$500.00.
 - (2) For a second violation within any 12-month period, the penalty shall be a citation and a fine not to exceed \$750.00.
 - (3) For a third violation within any 12-month period, the penalty shall be a citation, a fine not to exceed \$1,000.00, the revocation of the short-term rental permit for 24 months, and the owner or local contact person shall not be eligible to reapply for a short-term rental on the property in violation for 24 months from the date of revocation.

- (g) If non-compliance with the provisions of this section occurs, the Planning and Development Department or law officer of the County shall investigate whenever there is reason to believe that an owner and/or local contact person has failed to comply with the provisions of this chapter. The investigation may include an inspection of the premises, a review of law enforcement/security reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings, and video, all of which may constitute evidence of a violation.
- (h) The Planning and Development Department, Code Enforcement Officer of the County, and the Rockdale County Sheriff Department are hereby authorized and directed to establish such procedures, which may, from time to time, be required to carry out the purpose and intent of this chapter. The Rockdale County Sheriff or designee or Code Enforcement shall also have authority to enforce this chapter.

Complaints.

Complaints about the property may result in a notice of the violation being directed at the local contact person. The local contact person shall be responsible for contacting the responsible guests and/or occupants to correct the problem within one hour. This local contact person is required to visit the property to confirm compliance with this chapter unless compliance can reasonably be confirmed without visiting the property. It is not intended that an owner or local contact person act as a peace officer or place himself or herself in an at-risk situation.

Section V

That all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed.

Section VI

Should any court of competent jurisdiction declare any section of this ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance, or any part thereof, which is not specifically declared to be invalid or unconstitutional.

This Ordinance shall become effective upon official adoption by the Rockdale County Board of Commissioners.

ADOPTED AND APPROVED THIS 22nd DAY OF April, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**


JaNice Van Ness, Chair & CEO


Tuwanya C. Smith, Commissioner Post I


Dr. Doreen Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to Form:

By: 
M. Qader A. Baig, County Attorney

First Reading: 2/25/2025

Second Reading: 4/22/2025