



**Short Term Rental
Owner Guidebook**



Dear Short Term Rental Owner,

Thank you for your interest in becoming an operator of a short term rental property in the City of Fairburn. With the dynamic growth of this industry worldwide, communities like ours have become destinations for families seeking the comforts of home while they are away from their home.

Our professional staff has worked with your elected officials to prepare this guidebook that we hope will walk you through the process of becoming a licensed operator of a short term rental. We understand that many homeowners who begin this process have never operated a private business, and the process may seem complicated. I assure you, we have streamlined the enrollment, and we have an excellent team ready to assist you.

Wishing you much success!

The City of Fairburn

In This Guidebook



Fairburn's definition of short term rentals (STR), plus the basic guidelines for licensing your STR



The step by step process for enrolling your property for STR operations - we will walk you through it!



Contact information for all the key staff and departments who are here to help you through the process and service your STR once you are licensed.



All the forms, policies, ordinances and other documents to make sure you are well informed about STR operations.

Definitions

Short Term Rental Ordinance Definitions

A complete copy of the current short term rental ordinance is attached at the end of this document. Below is a list of terms used in the guidebook from the ordinance.



Local Contact Person: A person, firm or agency representing an owner or owners of a short term rental who is at least 25 years of age.

Owner: A person that holds legal and/or equitable title to private property.

Private: Intended for or restricted to the occupants and/or guests of his or her short term rental; not for public use.

Property: A residential legal lot of record on which a short term rental is located.

Rental Term: The period of time a responsible person rents or leases a short term rental.

Responsible Person: an occupant of a short-term rental who is at least twenty-five (25) years of age and who is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.

Short Term Rental: a residential structure rented out for overnight accommodation for a period of one (1) to twenty-four (24) consecutive nights.

Why are there regulations for short term rentals?

The growing shared economy of homeowners renting their residences has led to an abundance of available options in the short term housing market. This rapid growth has also caused a flood of regulatory issues, neighbor complaints, and safety concerns.

Communities like ours have developed common-sense regulations allowing property owners to continue to make ends meet by sharing their homes while addressing challenges and abuses through effective enforcement.

Thankfully, citizens like you see the value in a coordinated effort where we can maintain our quality of life while also offering small businesses a chance to grow.

What is a Short Term Rental?

Short term rentals in Fairburn, Georgia are defined as residential structures rented out for overnight accommodations for a period of 1 to 24 nights. Properties must meet specific zoning and regulatory requirements to be licensed as short term rentals.

Why should I register my property as a short term rental?



When you register your short term rental you are in compliance with the City's ordinance. Registered properties also help our community grow and become an even better place to live, work, and play. Licensed STRs in Fairburn collect sales and occupancy taxes from visitors which help fund public safety, roadways, and quality of life amenities like our parks - providing a safe, clean, and entertaining community for all.

GET STARTED!

EASY AS 1, 2, 3



**STEP
1**

Short Term Rental Affidavit

Planning Office

The first stop will be with to visit the Planning and Zoning Office and obtain a short term rental zoning affidavit. It's fast and free.

Call: 770-964-2244 (Ext. 120 for Planning & Zoning)

**STEP
2**

Schedule Inspections

Building Office

Request an inspection of your property from the Building Inspections Office (\$50) and the Fire Marshal's Office (if occupancy is 6 or more.) These inspections are usually conducted within 2 weeks.

Call to schedule an inspection: 770-964-2244 (Ext. 401 for Building Inspections and Ext. 503 for Fire)

**STEP
3**

Complete License Process

Occupational Tax License Office

Complete the process by obtaining your short term rental permit and business license which will include registering your business with the IRS, obtaining a sales tax number, and completing the license registration form.

Occupational Tax Regulatory Fee: \$100

Short Term Rental Application Fee: \$125

Call: 770-964-141 (Police Department) Hours: Monday-Friday 8am-5pm

Bring your Inspection Certificate of Completion from the Building Inspector and all completed forms here to finish the process.

Taxes

What are the taxes/fees being charged?

All short term rentals are required to collect 10% tax on each rental: (a.) 7% of those taxes shall be paid to the Georgia Department of Revenue as Sales & Use Tax. (b.) The remaining 3% shall be paid to City of Fairburn as Hotel/Motel Tax. These taxes and fees are paid to you by your renter and then passed on to the County and State. The VISITOR pays the tax, you collect it, and pay it to the government.

(a.) Sales & Use Tax (7%)

Any business charging a fee for accommodations in City of Fairburn is required to collect 7% on their gross sales receipts and report those collections to the Georgia Department of Revenue each month. This report and payment may be filed electronically. You will be issued a Sales and Tax Use Number for collecting and filing purposes.

Georgia Department of Revenue

Sales and Use Tax Unit (404) 414-6605
1800 Century Blvd. NE, Ste. 12000, Atlanta, GA
<https://dor.georgia.gov/>

(b.) Hotel/Motel Tax (3%)

City of Fairburn requires the collection of 3% each month for a Hotel/Motel Tax. This tax must be reported and paid to the City of Fairburn on a quarterly basis within 30 days following the end of each quarter. (For example, if the tax is collected for the first quarter of the year, January –March, then the taxes must be submitted within 30 days from the last day in March).



FAQ's

Frequently Asked Questions...

What properties are eligible to become short term rentals?

Single-family and residentially zoned properties are allowed to be used for short term rentals. This includes the following zoning districts: AG (Agricultural) , R-1 (Single-family Residential), R-2 (Single-family Residential), R-3 (Single-family Residential) and R-4 (Single-family Residential)

Where can I find the Short Term Rental Ordinance?

The complete ordinance can be found at the end of this guidebook, or you can find it online on Fairburn's website: www.fairburn.com

How do I register my short term rental?

Your first step will be to meet with the Planning and Zoning Office to obtain a short term rental affidavit for your property. The next step will be to set up a site inspection with Building Inspection and Fire Marshall. Finally, you will apply for your STR permit and occupational tax license.

How many people can rent my home at one time?

The number of people who can rent your home, or occupancy, will be set by the building inspector. The occupancy rate shall be limited to two (2) adults per bedroom plus an additional three (3) adults for the short term rental property. The occupancy rate only applies to short term rentals. The bedroom(s) shall be inspected by Building Official prior to issuance of the occupancy permit.

What is the role of the Local Contact Person?

Each owner of a short term rental is required to designate a Local Contact Person (must be age 25 or older) who has access and authority to assume management of the property. The Local Contact Person is the primary liaison between the city officials, including code and law enforcement, and will be required to provide their contact information. Local Contact Persons are required to respond to violation notifications 24 hours a day, 7 days a week, and within two (2) hour of being notified of a complaint.

Does the Owner have to be the Local Contact Person?

No, owners may retain a managing agent, managing agency, operator or representative to serve as the Local Contact Person. However, the owner is ultimately responsible for compliance with all the requirements of the law governing short term rentals.

What if the Local Contact Person changes?

No problem. Notify the City of Fairburn Occupational Tax License Office in writing immediately upon a change in the contact information for the Local Contact Person.

What about parking?

No vehicles of any type shall be parked on the City right of way or along any roadways at any time. Vehicles shall be parked on designated hard surfaced areas including gravel, concrete and asphalt; no parking on the grass or dirt. Parking in enclosed garages is permitted. A breach of these parking requirements may result in a violation under the ordinance.

What about neighbor complaints?

A notice from the City will be mailed to all residences within 500 feet of the short term rental upon the assignment of a business license to a property. This letter will include the name and contact information for the Local Contact Person and the 24 hour hotline (770.637.6647) that citizens can call to report a complaint. The hotline will document the complaint and contact the Local Contact Person to help resolve the concern. If the complaint is not resolved within two (2) hours of being notified the short term rental may be issued a violation.

What are the consequences for a violation of the code?

Judicial penalties for violations cited by the City of Fairburn are outlined in detail in the ordinance and include citations issued in any twelve month period: 1st violation = \$250 fine; 2nd violation = \$500 fine; 3rd violation = \$1,000 fine and revocation of the business license for 24 months.

What happens if I don't register my property?

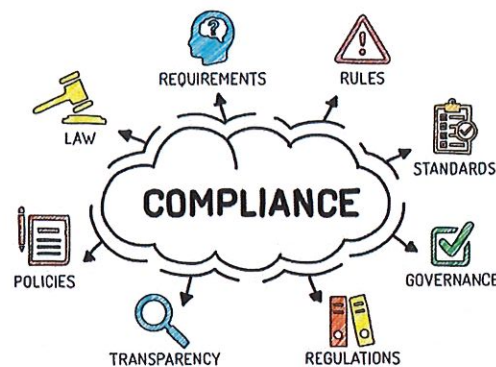
Residences found to be in non-compliance with the regulations will be issued a citation that is subject to a judicial penalty of \$500 with the fine compounding daily for every day the property is marketed or rented after the citation.

Enforcement

Be A Good Neighbor

There are four main areas of concern with short term rentals: Occupancy, Parking, Noise, and Trash. We expect all short term rental properties to be respectful of their neighbors and adhere to code requirements. Informing your renters about the occupancy rates, local noise ordinance, proper trash removal, and parking requirements will save both you and them a lot of frustration.

Once your property is licensed, you may also want to add information about your property including your own house rules, policies, and dining menus among other items.



Compliance and Penalties

Unfortunately, incidents will likely occur that cause complaints and result in citations being written. The Fairburn Code Enforcement and/or Law Enforcement officials will respond to complaints and, after evaluating the situation, may issue citations.

The penalties for citations are detailed in the ordinance, and a brief summary is shown here: 1st violation within 12 months = a written notice of violation and a fine not to exceed \$250; 2nd violation within 12 months = a written notice of violation and fine not to exceed \$500; 3rd violation = \$1,000 which may be enforced by the contempt power of the court, the short-term rental business license and permit shall be revoked for a period of 24 months, and the owner or local contact person is not eligible to reapply for a short-term rental business license on the property in violation for a period of 24 months from the date of revocation. All citations will be handled through the Fairburn's Municipal Court system.

None of us want to see a property owner fined for violations. Compliance with reasonable and fair restrictions will eliminate the possibility of fines and penalties. The City of Fairburn wants our short term rentals to be successful, productive, and courteous neighbors.



Supporting Materials - Appendix

Short Term Rental Application

Sworn Acknowledgement Form

Zoning Verification Form

Fire Inspection Checklist

Notice of Short Term Rental Letter

Short Term Rental Ordinance

Fairburn 24/7 Short Term Rental Hotline & Online Submission

STR Hotline: (770) 738-9565

Link: safe.hostcompliance.com/fairburn-ga/tips

All forms and documents are available on Fairburn's website at www.fairburn.com in the business section.



Short Term Rental

CHECK LIST AND CONTACTS

MUST PROVIDE THE FOLLOWING CHECKED ITEMS BEFORE LICENSE WILL BE ISSUED:

- _____ **Planning and Zoning** First visit the Planning and Zoning Office to obtain zoning verification, then go to the Building Inspections Office where an inspection will be scheduled.
Inspection Fee: \$50 Call to schedule: 770-964-2244 ext. 401

- _____ **Fire Safety Checklist/Inspection:** Only for properties with an occupancy of 6 or greater Call to schedule: 770-964-2244 ext. 503

- _____ **Proof of insurance:** Indicating the premises is used or a short term rental

- _____ **Acknowledge Forms:** Local Contact/Owner and Surrounding Property Owners Notification

- _____ **Layout of Property:** A diagram showing the layout of the property and any on-site parking available

- _____ **Federal Tax ID - IRS # 1-800-829-4933** www.irs.gov (There is **NO FEE** to obtain this number)

- _____ **Sales Tax - Short Term Rentals** are required to collect sales tax.
Georgia Department of Revenue, Sales and Use Tax Unit (404) 417-6605
1800 Century Blvd. NE, Ste. 12000, Atlanta, GA 30345 [www.https://dor.georgia.gov](https://dor.georgia.gov)
(There is **NO FEE** to obtain this number)

- _____ **Valid verifiable US photo identification** on owner(s), or president of business

- _____ **Green Card** if owner/president is not a US citizen (or other INS documentation)

- _____ **Occupational Tax License Application** - complete the application.
Occupational Tax Regulatory Fee: \$100

*****Verification that all taxes due to Fairburn (either by the owner or the business itself) have been paid will be completed before a business license may be issued.



CITY OF FAIRBURN

SHORT TERM RENTAL PERMIT APPLICATION

191 SW Broad Street, Fairburn, GA 30213
(770) 964-1441

(STR) Property Address _____
Number & Street Name City State Zip

(STR1) Owner Name _____ Phone () _____

(STR2) Owner Name _____ Phone () _____

(STR1) Owner mailing address _____
If different from above

(STR2) Owner mailing address _____
If different from above

(STR1) E-Mail Address _____

(STR2) E-Mail Address _____

Federal Employer ID Number (FEIN #) _____ Georgia Sales & Use Tax # _____

LOCAL CONTACT PERSON

Name of Local Contact Person Home Address City State Zip

Home Phone Number Cell Number E-mail Address

Number of Bedrooms Approx Square Footage Maximum Number of Overnight Occupants

- Attach a diagram showing the layout of the property and any on-site parking available;
- Attach approved commercial permit in cases where the short-term rental has an on-site septic system, an approved commercial permit from the Environmental Health Division of the Fulton County Board of Health is required.

IMPORTANT ALONG WITH THIS APPLICATION, PLEASE SUBMIT ORIGINAL GOVERNMENT ISSUED PHOTO ID ON ALL OWNERS), GREEN CARD (if applicable), ZONING VERIFICATION AND BUILDING INSPECTION FORMS (Issued by the Planning & Zoning/Building Officials Offices) AND ANY OTHER REQUIRED DOCUMENTATION. ALL THESE ITEMS MUST BE SUBMITTED BEFORE THE PERMIT AND BUSINESS LICENSE CAN BE ISSUED.

For office use only

BL# _____ CO# _____



Short Term Rental Permit Application Sworn Acknowledgement Form

Short Term Rental Property Address: _____

Short Term Rental Owner Name(s): _____

Short Term Rental Local Contact Person: _____

I/We acknowledge that the short term rental property referenced above is in compliance with the following requirements:

- An informational notice clearly visible and legible is located at the front (inside) door of the subject property as required by the Short Term Rental Ordinance, Article VIII. Section 14-366. The notice contains the following information:
 1. The name of the owner and local contact person of the short-term rental and a telephone number at which that party may be reached on a 24-hour, 7 days a week, basis;
 2. The name and address of the nearest hospital;
 3. The maximum number of overnight occupants and/or daytime guests permitted to be at the short-term rental;
 4. The maximum number of vehicles allowed to be parked on the property, including a sketch of the location(s) of the on-site parking spaces;
 5. The trash pickup day [a notification that trash and refuse shall not be left or stored on the exterior of the property unless it is placed in a curbside container, and a notification that the curbside container shall not be placed sooner than dusk on the day prior to the pickup day, and must be removed within a reasonable time following collection]; and
 6. The times that quiet hours are to be observed per the Noise Ordinance regulations.

- The closest ten (10) surrounding property owners that are located on both sides, directly to the rear, and directly across the public right-of-way of the short term rental property has been notified by letter and provided the following information:
 1. Name and contact information of the local contact person and/or owner(s) of the short term rental;
 2. Location of any on-site parking for the short-term rental guests or occupants, and
 3. Maximum occupancy requirements

- As the owner(s) and local contact person for the short term rental property referenced above, I have read all regulations pertaining to the operation of a short term rental and agree to perform the duties specified in Article XIII. Short Term Rental Ordinance.

Short Term Rental Owner Signature

Date

Short Term Rental Owner Signature

Date

Short Term Rental Local Contact Person Signature

Date

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

_____ DAY OF _____, 20 _____

SEAL

Notary Public



Short Term Rental Zoning Verification Form

Short Term Rental Address: _____

Zoning of Property: _____

Owner/Local Contact Name: _____

Owner/Local Contact Phone: _____

Owner/Local Contact Email: _____

The zoning designation of the short term rental property located at the above referenced address is:

Approved

Denied

Staff Review By: _____

Date: _____

City of Fairburn
Planning and Zoning Office
26 W. Campbellton Street
Fairburn, GA 30213
(770) 964-2244



Fire Safety Checklist

1. Is your address visible on the outside of the home with numbers at least 4-6 inches high in a contrasting color?

Yes No N/A

2. Is driveway or alley around your building kept free of weeds, debris or obstructions?

Yes No N/A

3. Are all trash containers located at least 5 feet from your home?

Yes No N/A

4. Are all exit aisles, hallways, and stairways clear of any obstructions?

Yes No N/A

5. Are electrical breaker panels or fuse boxes kept unobstructed and labeled to show what circuit affects what area?

Yes No N/A

6. Are all electrical breakers free to operate (not taped open)?

Yes No N/A

7. Are there face plates on all electrical outlets and switches?

Yes No N/A

8. Are extension cords used in place of permanent electrical wiring? If so, please remove. **Extension cords are not allowed in business occupancies.**

9. Are extension cords used in place of permanent electrical wiring? If so, please remove. **Extension cords are not allowed in business occupancies.**

Yes No N/A

10. Are combustibles (paper, rags, boxes, etc.) stored at least 3 feet from gas appliances (water heater, furnace, etc.)?

Yes No N/A

11. Are oily rags stored in metal containers?

Yes No N/A

12. Do you have a **minimum of one 10lb ABC** fire extinguisher in your business? Are all extinguishers visible and readily accessible for use?

Yes No N/A

13. Have all fire extinguishers been inspected and serviced by a fire extinguisher company within the last year?

Yes No N/A

14. Would you like information on fire extinguisher care and use?

Yes No N/A

15. Is the attic access and scuttle opening kept closed as required by Code?

Yes No N/A

16. Are all sheet rocked walls maintained without holes?

Yes No N/A

17. Is storage kept at least 2 feet below the ceiling?

Yes No N/A

18. Is the fire alarm system tested monthly?
Yes No N/A
19. Are the batteries changed annually in the smoke alarms?
Yes No N/A
20. Does the water heater have a relief valve and gas shutoff valve?
Yes No N/A
21. Do natural gas appliances have individual gas shutoff valves?
Yes No N/A
22. Is your occupancy equipped with a fire alarm or sprinkler systems and are they serviced annually?
Yes No N/A
23. If you have gas appliances you shall have carbon monoxide alarms?
Yes No N/A
24. Are the batteries changed annually in the carbon monoxide alarms?
Yes No N/A
25. Are carbon monoxide alarms tested monthly?
Yes No N/A

If you have questions, please contact the Fire Marshal's Office at (770) 964-2244 ext. 503.

**NOTICE OF SHORT TERM RENTAL
FAIRBURN, GA**

Dear Property Owner,

Please be advised that a Short Term Rental Business Permit has been issued to the property located at: _____.

The City of Fairburn's Short Term Rental Ordinance (*Article XIII. Sections 14-361 to 14-368*) requires short term rental owners to notify the closest ten (10) surrounding property owners that are located on both sides, directly to the rear, and directly across the public right-of-away of the short term rental property.

You can report non-emergency related incidents or complaints such as noise, trash, and parking violations to:

Fairburn's STR 24/7 Hotline: (770) 738-9565

Link: safe.hostcompliance.com/fairburn-ga/tips

The hotline will document the complaint and contact the Local Contact Person to help resolve the concern. If the complaint is not resolved within two (2) hours of being notified, a complaint can be filed with code enforcement.

There are specific guidelines that all short term rentals shall adhere to and the guidelines can be accessed here: <https://www.fairburn.com/short-term-rental-properties>

The contact person for the above-mentioned short term rental property is:

Local Contact Person: _____

Contact Number: _____

ARTICLE XIII. SHORT TERM RENTAL

Sec. 14-361. Purpose.

- a. The purpose of this article is to establish standards for short-term rentals of privately-owned residential structures used as vacation homes, to minimize the adverse effects on surrounding properties, and to preserve neighborhood character where vacation home uses occur.
- b. This article is not intended to regulate hotels, motels, inns, or non-vacation type rental arrangements including, but not limited to, boarding houses or rooming houses.

Sec. 14-362. Applicability.

- a. Short-term rentals shall be allowed only on single-family, residentially-zoned properties.
- b. The allowance of short-term rentals pursuant to this article shall not prevent enforcement of additional restrictions that may be contained in subdivision covenants.

Sec. 14-363. Definitions.

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

Local Contact Person: A person, firm or agency representing an owner or owners of a short term rental who is at least twenty-five (25) years of age.

Owner: A person that holds legal and/or equitable title to private property.

Private: Intended for or restricted to the occupants and/or guests of his or her short-term rental; not for public use.

Property: A residential legal lot of record on which a short-term rental is located.

Rental Term: The period of time a responsible person rents or leases a short term rental.

Responsible Person: an occupant of a short-term rental who is at least twenty-five (25) years of age and who is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.

Short-term Rental: a residential structure rented out for overnight accommodation for a period of one (1) to twenty-four (24) consecutive nights.

Sec. 14-364. Property owners, local contact person, and responsible person.

a. Property Owners:

1. The owner shall use reasonably prudent business practices to ensure the short-term rental is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short-term rental. It is not intended that the owner act as a peace officer or place himself or herself in harm's way to ensure compliance.

b. Local Contact Person:

1. Each owner of a short-term rental shall designate a local contact person who has access and authority to assume management of the short-term rental. The local contact person shall be responsible for taking remedial measures while the short-term rental is being rented to an occupant and/or guest. An owner of a short-term rental may designate himself or herself as the local contact person;
2. The local contact person shall be at least 25 years of age;
3. There shall be only one (1) designated local contact person for a short-term rental at any given time;
4. The local contact person shall be required to respond to the location of the short-term rental 24 hours a day, 7 days a week, and within two (2) hours after being notified by the City of Fairburn of any violation of this article, or any other provision of this Code, or any disturbance or complaint regarding the condition or conduct of occupants of the short-term rental. It is not intended that the local contact person act as a peace officer or place himself or herself in harm's way;
5. The owner must immediately notify the Fairburn Records Clerk in writing upon a change of local contact person or change of the local contact person's telephone number. Failure to do so within fourteen (14) days after such change shall, unless such time limit is extended for good cause, be reason for revocation of a permit granted pursuant to this article;
6. The local contact person is authorized by the owner to receive and accept service of any notice of violation or citation related to the use or occupancy of the short-term rental;
7. The local contact person is responsible for monitoring the short-term rental for compliance with this article.

c. Responsible Person:

1. Every short-term rental shall be rented to a designated responsible person of at least 25 years of age. The owner of the short-term rental is responsible for compliance with the provisions of this article, and the failure to designate a responsible person prior to the occupancy of a short-term rental shall be deemed

noncompliance by the owner.

2. The designated responsible person is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.

Sec. 14-365. Business license and tax, permit and transferability.

A. Required Business Licenses and Permits:

1. No owner or local contact person of a short-term rental shall rent, lease, or otherwise exchange for compensation all or any portion of such home without first obtaining a short-term rental permit from the City;
2. Short-term rentals shall be allowed only on single-family, residentially-zoned properties;
3. The owner shall pay the required occupation tax and shall comply with all applicable provisions of Chapter 14 of this Code for business regulation and taxation;
4. The owner shall pay all required excise tax per section 53-101 of this Code.
5. The owner shall comply with all other applicable provisions of Chapter 53, Article III. Lodging Excise Taxes of this Code.
6. A separate short-term rental permit shall be required for each residential structure used for short-term rental;
7. A short-term rental property located within a subdivision where a functioning homeowners association exists must provide a sworn statement from the applicant that short-term rentals are not prohibited under the covenants of the HOA/subdivision.
8. The owner of a short-term rental, or their designated representative, shall submit an application for a short-term rental permit to the City. The application shall be furnished on a form specified by the City, accompanied by a non-refundable permit fee. The short-term rental application shall include:
 - a. The complete street address of the short-term rental;
 - b. Ownership information, including the name, address, e-mail address, and telephone number of each person or entity with an ownership interest in the property;
 - c. The name, address, telephone number, and email address of the local contact person for the short-term rental;
 - d. The number of bedrooms and approximate square footage in the short-term rental, and the maximum number of overnight and daytime occupants, as allowed by this Ordinance;
 - e. A diagram showing the layout of the property and any on-site parking available;

- f. A Code compliance verification form certifying that all designated bedrooms, including egress from all designated bedrooms, meet applicable safety code requirements;
 - g. Proof of insurance indicating the premises is used at a short-term rental;
 - h. Sworn acknowledgment that the owner and local contact person have read all regulations pertaining to the operation of a short-term rental and agrees to perform the duties specified in this article;
 - i. Sworn acknowledgement that the owner or local contact person has or will post, at the short-term rental, the information notice required in Section 14-366;
 - j. Sworn acknowledgement that the closest ten (10) surrounding of-record property owners that are located on both sides, directly to the rear, and directly across the public right-of-way of the proposed short-term rental property have been notified of the use prior to the issuance of the short-term rental permit. Notification shall be issued by the short-term rental owner or local contact agent and proof of notification shall be provided to the City. The Notification to these property owners shall include street address of the proposed short-term rental, location of any onsite parking for the short-term rental guests or occupants, maximum occupancy requirements, copy of the short-term rental exemplar rental agreement, name of property owner(s), and name of local contact agent; and,
 - k. In cases where the short-term rental has an on-site septic system, an approved commercial permit from the Environmental Health Division of the Fulton County Board of Health is required.
9. Any false statements or information provided in the application are grounds for denial or revocation of a permit, including the denial of future applications.
 10. A short-term rental permit application shall be denied until January 1 of the following year if the applicant has had a short-term rental permit revoked for that property at any time during the year;

B. Permit fee/renewal.

- a. The short-term rental permit shall be accompanied by an initial permit application fee and be subject to an annual renewal fee every year thereafter.
- b. All permits granted under this article shall expire on December 31 of each year. Applicants shall file a renewal application accompanied by the requisite renewal fee with the City on or before January 1 of each year.
- c. All renewal permits not applied for on or before April 1 of each year will be subject to a late fee.

C. All short-term rental permits issued pursuant to this article are subject to the following codes and ordinances:

1. Maximum occupancy limits prescribed by the City Fire Marshal, pursuant to the International Fire Code;

2. Noise Ordinance, set forth in Chapter 65 of the Code of Ordinances;
3. Residential Waste Ordinance, set forth in Chapter 47 of the Code of Ordinances;
4. Sign ordinance, set forth in Chapter 80 of the Code of Ordinances; and
5. Residential Parking Regulations set forth in Chapter 80 of the Code of Ordinances.

D. Transferability:

1. No short-term rental permit issued under this article shall be transferred or assigned or used by any person other than the owner or local contact person to whom it is issued, or at any location other than the one for which it is issued.
2. The short-term rental permit is not transferrable and should ownership of a short-term rental change, a new permit application shall be required.

Sec. 14-366. Standard operational requirements and conditions.

A. Posted Information Notice:

1. Each short-term rental shall have a clearly visible and legible notice conspicuously posted inside the short-term rental on or adjacent to the front door, containing the following information:
 - a. The name of the owner and local contact person of the short-term rental, and a telephone number at which that party may be reached on a 24-hour, 7 days a week, basis;
 - b. The name and address of the nearest hospital;
 - c. The maximum number of overnight occupants and/or daytime guests permitted to be at the short-term rental;
 - d. The maximum number of vehicles allowed to be parked on the property, including a sketch of the location(s) of the on-site parking spaces;
 - e. The trash pickup day, a notification that trash and refuse shall not be left or stored on the exterior of the property unless it is placed in a curbside container, and a notification that the curbside container shall not be placed sooner than dusk on the day prior to the pickup day, and must be removed within a reasonable time following collection; and
 - f. The times that quiet hours are to be observed per the Noise Ordinance regulations set forth in Chapter 65 of this Code.

B. Life Safety and Sanitation

1. Short-term rentals require a site inspection by a City-approved inspector to ensure compliance of all designated bedrooms, including egress from all designated bedrooms, with all applicable safety codes. The site inspection required by this section shall be required once every three (3) years.
2. Each bedroom used for the short-term rental shall have at least two (2) means of

egress. Each bedroom shall have at least one operable 5.7 square feet window opening or door for emergency escape or rescue that opens directly to the exterior of the residence. The emergency door or window shall be operable from the inside. These provisions are in compliance with Section R310 - 2012 of the International Residential Code.

3. Every bedroom, adjoining hallway, and common area shall be equipped with a dual powered and interconnected operational smoke detector that meets International Residential Code standards and shall be maintained in good working order at all times. These provisions are in compliance with Section R314 - 2012 of the International Residential Code.
4. A short-term rental equipped with natural gas shall install a carbon monoxide detector outside of each sleep area. Each carbon monoxide detector must meet applicable state law standards and shall be maintained in good working order at all times. These provisions are in compliance with Section R315 - 2012 of the International Residential Code.
5. Each floor of the short-term rental shall be equipped with a fire extinguisher as recommended by the fire marshal that is fully charged and not past its expiration date.
6. The owner and/or local contact person shall maintain a house number that is a minimum of 4' in height and a stroke width minimum of 1/2", plainly visible from the street at all times. These provisions are in compliance with Section R319 of the International Residential Code.
7. The short-term rental must meet all applicable International Residential Code regulations, International Building Code regulations and International Fire Code regulations.

Sec 14-367. Suspension or Revocation of Permit for Fraudulent Information

A short-term rental permit shall be immediately suspended or revoked by the City of Fairburn upon learning that an applicant furnished fraudulent or untruthful information in the application for a permit.

Sec. 14-368. Violation, Penalties and Enforcement

Citations shall be imposed, and short-term rental permits shall be revoked, in the manner provided in this subsection.

- A. Violation. The following conduct shall constitute a violation for which the penalties specified in paragraph C of this section may be imposed and/or the business license and permit suspended or revoked:
 1. The owner or local contact person has violated any of the provisions of this article;
or
 2. The owner or local contact person has violated any zoning, building, health or life

safety provision; or

3. The owner or local contact person has failed to comply with all applicable provisions of article II, chapter 14 regarding taxation and business license; or
4. Any violation of the provisions of this article by occupants and/or guests of the short-term rental shall be enforced pursuant to this article, and any other provisions of the Code or State Law 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.

B. Complaints and Enforcement.

1. The complaining party shall first attempt to communicate with the owner or local contact person designated and describe the situation that is out of compliance with this article.
2. Any complaints received by the City regarding a short-term rental shall result in a written notice of the complaint being directed to the local contact person designated in the short-term rental permit. The local contact person shall be responsible for contacting the responsible person to correct the problem within two (2) hours. This local contact person is required to visit the property to confirm compliance with this article, unless compliance can reasonably be confirmed without visiting the property. It is not intended that the local contact person act as a peace officer or place himself or herself in harm's way.
3. If the complaint is not resolved with the owner or local contact person, then the complaining party may next provide a written complaint to the City's Code enforcement, which shall include a description of the complaint, the attempts to resolve the complaint, and the complaining party's contact information. Code enforcement shall conduct an investigation whenever there is reason to believe there is a violation of the provisions of this article. The investigation may include an inspection of the premises, 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. Should the investigation support a finding that a violation occurred, code enforcement and/or Fairburn Police Department shall issue a citation to the owner, local contact person and/or occupant/guest to appear before the City's Municipal Court for such violation and shall be subject to the penalties for such violation as prescribed below in section C.
4. The City's Code Enforcement and Fairburn Police Department or his or her designee shall have authority to enforce this article.

C. Penalties. The penalties for violations specified in this section shall be as follows:

1. For the first citation issued within any 12-month period, the penalty shall be a written notice of violation and a fine not to exceed \$250.00, which may be enforced by the contempt power of the court;

2. For the second citation issued within any 12-month period, the penalty shall be a written notice of violation and a fine not to exceed \$500.00, which may be enforced by the contempt power of the court;
3. For the third citation issued within any 12-month period, the penalty shall be a fine not to exceed \$1,000.00, which may be enforced by the contempt power of the court, the short-term rental business license and permit shall be revoked for a period of 24 months, and the owner or local contact person shall not be eligible to reapply for a short-term rental business license on the property in violation for a period of 24 months from the date of revocation.
4. A short-term rental that is determined to be operating without the necessary business license required under this section shall subject the owner to a penalty of \$500.00, which may be enforced by the contempt power of the court. Each day the short-term rental is marketed or rented for overnight accommodation shall constitute a separate violation.
5. 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 shall be grounds for imposition of penalties as set forth in this article. 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.
6. In addition to the penalties described above, any person violating the provisions of this article by operating a short-term rental without a valid business license may be prosecuted according to the general penalties described in Chapter 14 of this Code.



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