



**Okeechobee County
Board of County Commissioners**

304 NW 2nd Street
Okeechobee, FL 34972

Department: Planning & Development
Category: Public Hearing
Prepared By: Denise Whitehead
Initiator: Denise Whitehead

**SCHEDULED
ACTION ITEM (ID # 12541)**

SUBJECT: 9:00 AM PUBLIC HEARING, ADOPTION OF ORDINANCE 2026-0002 TO AMEND THE CODE OF ORDINANCES, CHAPTER 22, TO ESTABLISH A REGULATORY FRAMEWORK FOR SHORT TERM VACATION RENTALS

MEETING: Regular Session May 14, 2026

FINANCIAL IMPACT:

N/A

REQUESTED ACTION:

That the Board of County Commissioners conduct a public hearing and accept input from interested parties; and adopt Ordinance 2026-0002, amending Chapter 22 of the Code of Ordinances to establish a regulatory framework for short term vacation rentals.

BACKGROUND:

With an increasing number of units available for short term rentals throughout the County, the Board of County Commissioners has determined that it is reasonable and appropriate to consider regulating such short term vacation rentals. Florida Statutes define vacations rentals as "any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project." Short-term means less than 30 consecutive days. This definition of short term vacation rentals also includes Air BNB and VRBO.

Florida law prevents Okeechobee County from prohibiting short term vacation rentals, but the County can adopt regulations requiring registration and address some of the impacts of short term vacation rentals.

The proposed ordinance amends Chapter 22, Businesses, of the Code of Ordinances of Okeechobee County, Florida, to establish a regulatory framework for short term vacation rentals. The ordinance includes the State of Florida requirement of registration with the Florida Department of Business and Professional Regulation, along with registering the rentals with Okeechobee County. Other items in the ordinance include adherence to current Okeechobee County ordinances, the Florida Building Code, Florida Fire Prevention Code, Residential Swimming Pool Safety Act (if a pool, spa, or hot tub is on the property), and applicable Florida Administrative Code Uniform Fire Safety Standards.

Additionally, the proposed ordinance addresses property maintenance requirements, minimum posting requirements, parking, designated responsible party, maximum occupancy, and penalties for violations.

After conducting the public hearing, Board of County Commissioners can adopt the ordinance, adopt the ordinance with revisions, or not adopt the ordinance.

County Administrator recommends the Board adopt Ordinance 2026-0002 amending the Code of Ordinances of Okeechobee County, Florida to establish a regulatory framework for short term vacation rentals.

ATTACHMENTS:

- ORDINANCE 2026-002 SHORT TERM VACATION RENTAL REGISTRATION (ADA CHECKED) (PDF)

**BOARD OF COUNTY COMMISSIONERS
OKEECHOBEE COUNTY, FLORIDA**

ORDINANCE NO. 2026-0002

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKEECHOBEE COUNTY, FLORIDA, AMENDING THE OKEECHOBEE COUNTY CODE OF ORDINANCES ARTICLE V, "RESERVED," OF CHAPTER 22, "BUSINESSES," TO BE ARTICLE V, "SHORT-TERM VACATION RENTAL REGISTRATION" AND ESTABLISH A REGULATORY FRAMEWORK FOR SHORT-TERM VACATION RENTALS CONSISTENT WITH FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Okeechobee County (the "Board") is authorized to adopt ordinances pursuant to the Constitution of the State of Florida and Chapter 125, Florida Statutes; and

WHEREAS, the Board is also vested with the power to perform any acts not inconsistent with laws which are in the common interest of the people of the County; and

WHEREAS, Section 509.242(c), Florida Statutes, defines vacations rentals as "any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project;" and

WHEREAS, Section 509.032(7)(b), Florida Statutes, prohibits local governments from adopting any regulation that prohibits vacation rentals or regulates the duration or frequency of rental of vacation rentals; and

WHEREAS, local governments still retain plenary authority to otherwise ensure vacation rentals comply with the Florida Building Code, the Florida Fire Prevention Code, and local ordinances; and

WHEREAS, the Board desires to regulate vacation rentals as defined by the Florida Statutes, which are located in all zoning areas of Okeechobee County, exclusive of areas subject to municipal jurisdiction; and

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WHEREAS, the Board finds it necessary to ensure the County's residents the tranquility and peaceful enjoyment of their homes and their neighborhoods and to address complaints associated with unsupervised vacation rentals; and

WHEREAS, the Board finds it appropriate to amend Chapter 22, "Businesses," of the Okeechobee County Code of Ordinances for the aforementioned purposes; and

WHEREAS, the Board of County Commissioners finds that it supports the health safety and welfare and is in the best interest of all the citizens of Okeechobee County to amend the Okeechobee County Code of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKEECHOBEE COUNTY, FLORIDA, that:

Section 1. Recitals. The above recitals are the findings of the Board of County Commissioners of Okeechobee County, Florida, and are otherwise fully incorporated herein.

Section 2. Code Amendment. The following portions of the Okeechobee County Code of Ordinances are hereby established and adopted as set forth in **Exhibit "A"** which is attached hereto and incorporated herein.

Section 3. Applicability. Except as otherwise provided herein or in Exhibit "A" attached hereto, this ordinance shall be applicable and effective in all of Okeechobee County exclusive of subject to municipal jurisdiction.

Section 4. Severability. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Conflicts. All local laws and county ordinances in conflict with any provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Codification. The provisions of this Ordinance shall become and be made a part of the Okeechobee County Code of Ordinances, and the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that sections other than Section 2 of this Ordinance shall not be codified. The codifier is granted liberal

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authority to codify the provisions of this Ordinance.

Section 6. Effective Date. This Ordinance shall take effect upon being filed in the office of the Secretary of the State of Florida in the manner prescribed by law.

APPROVED and ADOPTED by the Board of County Commissioners of Okeechobee County, Florida, on this 14th day of May, 2026.

DAVID HAZELLIEF, CHAIRMAN
OKEECHOBEE COUNTY
BOARD OF COUNTY COMMISSIONERS

ATTEST:

JERALD D. BRYANT, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER
OKEECHOBEE COUNTY, FLORIDA

(Seal)

Approved as to form and legality:

TG Law PLLC, County Attorney

EXHIBIT A

Ordinance No. 2026-_____

CHAPTER 22. BUSINESSES

ARTICLE V. ~~RESERVED~~ SHORT-TERM VACATION RENTAL REGISTRATION

22-201. Title.

This Ordinance shall be known and cited as "The Okeechobee County Short-Term Vacation Rental Registration Ordinance."

22-202. Legislative Findings and Intent.

It is the intent of this article to regulate vacation rentals as defined by the Florida Statutes which are located in all zoning areas of the county, exclusive of areas subject to municipal jurisdiction.

The general purpose of this article is to ensure to the county's residents the tranquility and peaceful enjoyment of their homes and their neighborhoods; to mitigate incompatibilities between vacation rentals and resident occupied homes and to protect the safety of occupants of vacation rentals and their guests. The county intends to address complaints associated with unsupervised vacation rentals in the manner set forth herein, including, but not limited to establishing a mandatory annual registration system for vacation rentals; specifying maximum occupancy limits; requiring inspections; requiring the owner of a vacation rental to designate an individual to be responsible for the vacation rental; to be aware of the condition and use of the vacation rental and to be able to quickly respond to complaints and immediate problems associated with the vacation rental.

22-203. Definitions.

For purposes of this article, the following terms, words, and phrases shall have the meaning set forth in this article. Whenever applicable, the singular shall include the plural.

Bedroom means any room in a vacation rental that contains a minimum of 100 square feet; which has a bed or other place for sleeping; and which has either a separate closet that is an integral part of the permanent construction within the bedroom or an en suite bathroom. This definition does not include a bathroom, a kitchen, a dining area or any main living area. If a room has been added, altered or converted without required building permits having been issued, such room shall not be deemed a bedroom.

Certificate of registration means the document that is issued by the county in accordance with the terms

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of this article to show that the vacation rental described on the certificate is currently registered with the county as required herein.

Guest means any person physically within the vacation rental or on its grounds with the knowledge of an occupant.

Maximum occupancy means the maximum number of persons who may be occupants of a vacation rental at the same time.

Occupant means any person who occupies a vacation rental overnight.

Owner or vacation rental owner means a natural person or legal entity holding all or a portion of the fee simple title to a vacation rental, whether an individual, partnership, corporation, limited liability company, trust, or other entity. In the event that the vacation rental owner is not an individual, each and every person who owns an equitable interest in the vacation rental shall be considered an owner.

Vacation rental shall have the meaning as defined in F.S. ch. 509, as may be amended.

Sec. 22-204. Short-term vacation rental requirements.

Prior to commencing any Short-Term Vacation Rental, it is the affirmative duty of the Owner to:

- (1) Register with the Florida Department of Business and Professional Regulation and the Okeechobee County Community Development Department.
- (2) Obtain an Okeechobee County Registration Certificate for each Short-Term Vacation Rental unit owned. The Certificate must identify that unit's Designated Responsible Party and current contact information. The Owner must notify the County in writing of any changes in ownership or of the Designated Responsible Party within ten (10) business days of such change. Each Registration Certificate shall be subject to renewal on an annual basis.
- (3) Inform all guests prior to occupancy of the Short-Term Vacation Rental unit of all applicable Okeechobee County ordinances, including nuisance, parking, and garbage.
- (4) Maintain all Short-Term Vacation Rental units under their control in compliance with the occupancy limits, as specified herein, Florida Building Code, and Florida Fire Prevention Code.
- (5) Be available in person or by telephone or have the Designated Responsible Party available in person or by telephone twenty-four (24) hours a day, seven (7) days a week to address any law enforcement action, emergency response, or County ordinance violation arising from the rental of the Short-Term Vacation Rental unit and be willing and able to be onsite to address violations within the next day of notification.
- (6) Maintain the Short-Term Vacation Rental unit as specified herein and as otherwise required to avoid nuisance conditions as defined pursuant to the Okeechobee County Code of Ordinances.

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- (7) Include the Okeechobee County Rental Registration Number of the Short-Term Vacation Rental unit in all advertising of the availability of accommodations for the Short-Term Vacation Rental unit. Advertising includes, but is not limited to, print, radio, video, online, social media, and sharing economy platforms.

Sec. 22-205. Property maintenance requirements.

- (1) Properties subject to this article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.
- (2) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (3) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration is required.
- (4) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (5) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (6) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- (7) Failure of the owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or notice of violation in accordance with the applicable code of Okeechobee County. Pursuant to a finding and determination by the County's Special Magistrate, Okeechobee County may take the necessary action to ensure compliance with this section.
- (8) In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of Okeechobee County.

Sec. 22-206. Minimum safety requirements.

- (1) A swimming pool, spa or hot tub shall comply with the current standards of the Residential Swimming Pool Safety Act, F.S. ch. 515.
- (2) The vacation rental shall have a functioning smoke and carbon monoxide detection and notification system which shall be installed and continually maintained consistent with the requirements of Section R314, Smoke Alarms and Section R315, Carbon Monoxide Alarms of the Florida Building Code - Residential.
- (3) The vacation rental shall comply with the applicable Florida Administrative Code (FAC) Chapter 69A-43 Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, and Timeshare Unit Facilities' requirements.

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Sec. 22-207. Minimum posting requirements.

- (1) The following information shall be posted in a conspicuous location on an interior wall inside the vacation rental for the safety and convenience of the occupants:
 - a. The location of the nearest hospital.
 - b. The non-emergency sheriff telephone number.
 - c. The dates and approximate times of trash pickup, including the County's regulations regarding placement of containers for collection pursuant to Sec. 40-24(b)(7).
 - d. The street address and land line telephone number of the vacation rental.
 - e. The name and phone number of the designated responsible party.
 - f. Emergency evacuation instructions.
- (2) The following additional information shall also be posted in a conspicuous location on an interior wall inside the vacation entry in close proximity to the main entrance:
 - a. The maximum occupancy of the vacation rental.
 - b. The maximum number of vehicles that are permitted to park at the vacation rental based on the number of off-street parking spaces on site, including enclosed spaces as determined by county staff.
 - c. A notice of the need to respect the peace and quiet of neighboring residents which shall state as follows: "You are vacationing in a residential area. Please do not make excessive noise or engage in boisterous behavior."
 - d. A statement that sound is audible beyond the property lines of the vacation rental unit is regulated by the county's ordinance prohibiting nuisances and that violation of said ordinance could result in fines to the occupants.
 - e. A copy of the certificate of registration for the vacation rental shall be posted next to or one the interior side of the primary door to the vacation rental.

Sec. 22-208. Parking.

Based on the maximum short-term/vacation rental occupancy permitted, minimum off-street parking shall be provided as one space per three occupants. Garage spaces shall count if the space is open and available and the occupants are given vehicular access to the garage. On-street parking shall not be permitted.

Sec. 22-209. Designated responsible party.

- (1) The duties of the designated responsible party, whether the owner or the owner's authorized representative are as follows:
 - a. To be available by land line or mobile telephone at one of the listed phone numbers provided to the county in the application for registration 24 hours a day, seven days a week, and to be capable of handling any issues arising from the use of the vacation rental.
 - b. To be available 24 hours a day, seven days a week for the purpose of promptly responding to complaints regarding the conduct or behavior of vacation rental occupants or their guests, or regarding alleged violations of this article. The designated responsible party shall have the authority to immediately address and take action, within one hour of

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- notice from the county, to address complaints, including but not limited to, safety issues, noise or parking.
 - c. To come to the vacation rental within one hour following notification from an occupant, the owner, or the county, with authority to address and to coordinate solutions to problems or issues associated with the vacation rental.
 - d. To receive service of any legal notice on behalf of the owner for violations of this article or other law or ordinance.
 - e. To exercise all rights of the owner under F.S. §§ 509.141, 509.142 and 509.143, to deal with unruly occupants and their guests in the vacation rental.
 - f. To maintain continuous compliance with the interior posting requirements of section 22-207.
 - g. To maintain the vacation rental premises free of garbage and litter.
 - h. To otherwise monitor, or cause to be monitored by an appropriate designee (i.e., cleaning or maintenance personnel), the vacation rental at least once a week when rented to check upon the condition of the unit and the occupants' compliance with this article.
 - i. To be informed as to the names, addresses and email addresses and phone numbers of all occupants and as to the number of occupants during each rental period.
 - j. To provide the county with notice of resignation as designated responsible party in writing at least one week in advance of the effective date of the resignation.
- (2) A designated responsible party must have authority to consent to allow all inspectors access to the vacation rental property to conduct inspections.
- (3) It shall be the sole responsibility of the owner to appoint a reliable designated responsible party and to inform the county of his or her contact information as part of the application for registration. Failure to do so shall not be a defense to an alleged violation of this article.
- (4) An owner may change his or her designated responsible party temporarily or permanently. However, there shall only be one designated responsible party for each vacation rental property at any one time. To change the designated responsible party, the owner shall notify the county in writing on a form to be provided by the county at least one week in advance.
- (5) Personal service on, or mailing or emailing of a notice of violation or other notices to, the designated responsible party shall be deemed valid service and notification of the owner or occupant.

Sec. 22-210. Maximum occupancy.

- (1) The following site considerations in subsection(s) (1) and (2), shall limit any short-term vacation rental occupancy to whichever is less as applicable, below
- a. One person per 150 gross square feet of permitted, air-conditioned living space; or
 - b. The maximum number of occupants allowed shall be restricted in accordance with any septic tank permit and the assumed occupancy/conditions pursuant to which the permit was issued. Any such septic tank permit shall be submitted with the initial application for Okeechobee County Registration Certificate.
- (2) The maximum occupancy restriction as set forth above shall not apply when the property is occupied by the vacation rental owner.

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Sec. 22-211. Penalty for Violations.

- (1) Code enforcement related violations of this article shall be undertaken in accordance with F.S. ch. 162, the Okeechobee County Code of Ordinances and this article.
- (2) The county may utilize F.S. ch. 162, Part 1, to prosecute a violation of this article or other code violations with respect to a vacation rental and in such cases, the special magistrate shall be authorized to hold a hearing, to assess penalties and to order other relief in accordance with the Code of Ordinances and this article.
- (3) Nothing herein shall prevent the county from seeking all other available remedies which may include, but shall not be limited to, suspension of a certificate of registration, injunctive relief, liens, and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.
- (4) Guests and Owners of Short-Term Vacation Rental units may be prosecuted separately and concurrently for a violation of any Okeechobee County Ordinance, including but not limited to nuisance, parking, and garbage violations.

Sec. 22-212. Immunity of enforcement officer.

Any person authorized by the Board of County Commissioners to enforce this ordinance shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.