

**AN ORDINANCE**

**TO PROVIDE FOR THE REGULATION OF SHORT-TERM RENTALS  
WITHIN THE UNINCORPORATED AREAS OF GREENVILLE COUNTY,  
SOUTH CAROLINA.**

WHEREAS, Greenville County Council finds that the rapid growth of short-term rental activity within the unincorporated areas of Greenville County, facilitated by online hosting platforms, including, but not limited to, Airbnb, VRBO, HomeAway, and similar services, has created a need for regulation to protect the health, safety, and welfare of the county's residents and visitors and to protect the character of its residential neighborhoods; and

WHEREAS, Greenville County Council recognizes that short-term rentals, when operated without appropriate oversight, have been shown in communities across the United States to result in increased traffic, noise, litter, parking congestion, and other adverse impacts upon adjacent residential properties and neighborhoods; and

WHEREAS, Greenville County Council further recognizes that short-term rentals represent a legitimate and lawful use of private property when conducted responsibly and that the purpose of this Ordinance is to regulate rather than prohibit such activity; and

WHEREAS, the unincorporated areas of Greenville County include both areas that are zoned and areas that are unzoned and that uniform regulation of short-term rentals is necessary and appropriate across both categories of unincorporated territory; and

WHEREAS, Greenville County Council finds that the operation of short-term rentals constitutes a business activity subject to the County's business registration requirements and that property owners who operate short-term rentals should be required to comply with all applicable revenue collection laws of Greenville County and the State of South Carolina, including requirements for the collection and remittance of the local accommodations fee imposed by the applicable Greenville County ordinance; and

WHEREAS, Greenville County Council finds that a critical public safety need exists to ensure that every short-term rental has a locally present responsible party, whether the owner personally or a designated agent, who is physically available

within Greenville County and capable of responding in person to emergencies, including but not limited to fires, floods, injuries to guests, structural failures, and other urgent conditions, at any time the property is occupied by guests; and

WHEREAS, Greenville County Council finds that the requirement of a locally present responsible party is a content-neutral, operationally necessary public safety requirement that is not conditioned upon where the property owner resides and that an out-of-county or out-of-state property owner may fully satisfy this requirement by designating a qualified local agent so that no property owner is excluded from the short-term rental market solely on the basis of the owner's place of residence; and

WHEREAS, Greenville County Council finds that the enactment of reasonable regulations governing the operation of short-term rentals is within the police powers of the County; and

WHEREAS, Greenville County Council has determined that the regulations set forth in this Ordinance represent a balanced, reasonable, and appropriate framework for the regulation of short-term rentals within the unincorporated areas of Greenville County.

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina,

**BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:**

**Section 1. Purpose and Intent**

This Ordinance regulates short-term rentals within the unincorporated areas of Greenville County in order to promote the health, safety, and general welfare of the citizens of the County. County Council intends for these regulations to provide for an efficient use of residential dwellings as short-term rentals by:

- (A) Providing for a licensing process to regulate the establishment and operation of short-term rentals throughout the unincorporated areas of the County;
- (B) Balancing the interests of property owners who offer dwellings as short-term rentals with the interests of adjacent property owners and residents of affected neighborhoods;

(C) Ensuring that short-term rental operators are registered to do business and comply with all applicable revenue collection laws of Greenville County and the State of South Carolina;

(D) Complementing accommodation options in a manner that is desirable and suitable as a means of supporting tourism within Greenville County; and

(E) Protecting the quality of the streams, rivers, lakes, and watersheds of the unincorporated areas of Greenville County from affects associated with short-term rental activity.

## **Section 2. Applicability**

This Ordinance applies to all short-term rentals located within the unincorporated areas of Greenville County, South Carolina as follows:

(A) Zoned Areas. In areas subject to the Greenville County Zoning Ordinance, this Ordinance shall operate in addition to, and not in lieu of, the requirements of the Zoning Ordinance and any applicable use conditions. Short-term rentals shall be allowed in zoned areas provided the proposed short-term rental is a legally existing dwelling unit as defined by the Zoning Ordinance. If any conflict arises between the provisions of this Ordinance and the Greenville County Zoning Ordinance, the more restrictive provision shall govern.

(B) Unzoned Areas. In areas governed by the Greenville County Land Development Regulations but not subject to the Greenville County Zoning Ordinance, short-term rentals shall be allowed in any area in which residential dwelling uses are lawfully established, subject to the requirements of this Ordinance and the Land Development Regulations. If any conflict arises between the provisions of this Ordinance and the Greenville County Land Development Regulations, the more restrictive provision shall govern.

(C) This Ordinance shall not apply to hotels, motels, bed and breakfast establishments, inns, or other transient accommodations that are licensed and operated as commercial lodging businesses pursuant to applicable state law and County ordinances.

### **Section 3. Definitions**

For the purposes of this Ordinance, the following terms shall mean:

(A) Designated Agent. A natural person, other than the property owner, who has been designated in writing by the property owner to serve as the Locally Present Responsible Party and who meets all of the qualifications set forth in Section 8(b) of this Ordinance.

(B) Dwelling Unit. One or more rooms with kitchen and sanitary facilities used or designed to be used as a place of residence, as further defined in the Greenville County Zoning Ordinance and Land Development Regulations.

(C) Guest. Any person who occupies a short-term rental and pays or is obligated to pay any form of consideration, monetary or otherwise, for such occupancy.

(D) Locally Present Responsible Party (LPRP). A natural person who is the property owner; an owner of an entity, partner in a partnership, or part of any other legally recognized entity that owns the property; or a designated agent who satisfies the local presence requirements of Section 8 of this Ordinance and who bears responsibility for the operation of the short-term rental, compliance with this Ordinance and immediate in-person response to emergencies and complaints at any time the property is occupied by guests. Every short-term rental shall have exactly one designated LPRP at any given time.

(E) Owner. Any individual, corporation, limited liability company, partnership, trust, estate, or other legal entity that holds title to or a legal interest in a short-term rental property, including any authorized agent acting on their behalf.

(F) Licensee. Any person or entity in whose name a valid short-term rental License has been issued pursuant to this Ordinance.

(G) Person. Any natural person and any corporation, limited liability company, partnership, association, trust, estate, or other legal or commercial entity, including any officer, employee, agent, or representative acting on its behalf.

(H) Short-Term Rental. The rental or lease of a dwelling unit, or any portion of a dwelling unit, to a guest for a period of not less than one (1) night and not

more than twenty-nine (29) consecutive nights in exchange for any form of compensation or consideration. The term "short-term rental" shall include any dwelling unit, or any portion thereof, that is advertised, listed, or offered for rental on any hosting platform, website, application, or other medium for a period of twenty-nine (29) or fewer consecutive nights, regardless of whether any rental actually occurs. The following are excluded from the definition of short-term rental: hotels, motels, bed and breakfast establishments, and inns licensed and operated as commercial lodging businesses pursuant to applicable state law.

(I) Short-Term Rental License or License. The annual license issued by the Greenville County Zoning Administrator pursuant to this Ordinance authorizing the operation of a short-term rental at a specified location.

(J) Short-Term Rental Property. Any residential property within the unincorporated areas of Greenville County that is used, offered, advertised, or listed as a short-term rental, in whole or in part.

(K) Zoning Administrator. The Greenville County Zoning Administrator or his or her authorized designee.

#### **Section 4. License Required**

(A) No person shall operate, offer, advertise, list, or otherwise make available any short-term rental within the unincorporated areas of Greenville County without first obtaining a valid Short-Term Rental License issued pursuant to this Ordinance. Any advertisement, listing, or offering of a dwelling unit as a short-term rental on any platform, website, or medium, whether by the property owner, Locally Present Responsible Party, or any other person, shall be deemed sufficient evidence that the property is being operated as a short-term rental subject to the requirements of this Ordinance.

(B) A separate License shall be required for each short-term rental property. A License issued under this Ordinance shall not be transferred from one property to another and shall not be transferred from one owner to another. Any change in ownership of a short-term rental property shall render the existing License void and shall require the new owner to apply for a new License.

(C) A Short-Term Rental License does not exempt the Licensee from the requirement to obtain and maintain a valid Greenville County Business

Registration as required by any applicable County ordinance, state law, or federal law.

(D) A person commits a misdemeanor if the person operates, advertises, offers, or lists a short-term rental without a valid License issued by the County as required by this Ordinance.

## **Section 5. Application for License**

(A) Application for a Short-Term Rental License shall be made on a form provided by the Greenville County Zoning Administrator. No application shall be deemed complete unless it is accompanied by the required fee and includes all of the following information:

(i) The name, mailing address, email address, and telephone number of the property owner and, if the owner is an entity rather than a natural person, the name and contact information of the natural person authorized to act on behalf of the entity;

(ii) The address and Greenville County Tax Map Number of the short-term rental property;

(iii) The type of dwelling unit proposed to be used as a short-term rental, including whether the entire dwelling unit or only a portion of it is to be made available for rental;

(iv) The maximum number of bedrooms in the dwelling unit available for use by guests;

(v) Confirmation of the existence or non-existence of any recorded private covenants or restrictions that (a) are contrary to, (b) conflict with, or (c) prohibit the proposed use as a short term rental.

(vi) A completed Locally Present Responsible Party Designation, clearly identifying which of the two authorized tracks the applicant is electing to satisfy the local presence requirement of Section 8 of this Ordinance:

(a) Track One - Owner as LPRP: A signed, notarized Owner Local Presence Declaration in the form provided by the Zoning Administrator, certifying that the property owner personally meets all qualifications of Section 8(a); or

(b) Track Two - Designated Agent as LPRP: A signed, notarized Designated Agent Authorization Form in the form provided by the Zoning Administrator, identifying the Designated Agent, confirming that the agent meets all qualifications of Section 8(b), and granting the agent authority to act on the owner's behalf including accepting service of process;

(vii) A copy of the current Greenville County Business Registration for the short-term rental operation; and

(viii) A copy of the written check-in instructions to be provided to each guest, which shall include the name and direct phone number of the Locally Present Responsible Party, the address of the short-term rental property, the designated parking spaces and maximum number of allowed vehicles, the maximum occupancy of the dwelling unit, and the property rules required to be provided to guests under Section 10(E).

(B) The application shall be signed by the property owner or by an individual expressly authorized to execute legal documents on behalf of the owner. If the application is signed by an authorized representative, the application must be accompanied by a notarized authorization from the owner granting such authority in a form deemed acceptable by the Zoning Administrator.

(C) The Zoning Administrator shall review the application for completeness and compliance with the provisions of this Ordinance. An application determined to be incomplete shall be returned to the applicant within ten (10) business days of receipt, together with a written explanation of the deficiencies. A complete application shall be acted upon within thirty (30) days of receipt.

## **Section 6. Issuance of License**

(A) The Greenville County Zoning Administrator shall approve the issuance of a Short-Term Rental License within thirty (30) days after receipt of a complete application unless the Administrator finds one or more of the following to be true:

(i) The applicant is under eighteen (18) years of age;

- (ii) The applicant has failed to provide information reasonably necessary for issuance of the License or has falsely answered any question or request for information on the application form;
- (iii) The short-term rental property is not a legally existing residential dwelling unit as defined by the Zoning Ordinance;
- (iv) The License fee required by this Ordinance has not been paid;
- (v) The application does not include a completed and valid Locally Present Responsible Party Designation satisfying either Track One or Track Two as required by Sections 5(a)(5) and 8 of this Ordinance;
- (vi) The applicant or property is in violation of any provision of this Ordinance, the Greenville County Zoning Ordinance, the Greenville County Land Development Regulations, or any other applicable County ordinance;
- (vii) The applicant has failed to confirm the existence or non-existence of recorded covenants or restrictions that (a) are contrary to, (b) conflict with, or (c) prohibit the proposed use as a Short Term Rental; or
- (viii) A License for the same property was revoked within the preceding twelve (12) months.

(B) If approved, the License shall state on its face the name of the Licensee, the address of the short-term rental property, the expiration date, the Short-Term Rental License Number, and the name and telephone number of the Locally Present Responsible Party. The License shall be posted in a conspicuous place at the entrance to the short-term rental property so that it may be easily read at any time.

(C) The License number assigned by the County shall be included in all advertisements, listings, and postings for the short-term rental, regardless of the medium or platform on which the advertisement or listing appears.

## **Section 7. Fees**

The annual fee for a Short-Term Rental License shall be set by County Administration as part of the County's Schedule of Fees and shall be payable at the

time of application. The License fee is in addition to any other fees or charges that may be due in connection with the operation of a business within the unincorporated areas of the county, including, but not limited to, any Greenville County Business Registration fee that may exist currently or may be imposed in the future. Fees paid pursuant to this Ordinance are non-refundable.

### **Section 8. Locally Present Responsible Party: Two-Track Requirement**

Every short-term rental within the unincorporated areas of Greenville County shall, as a condition of obtaining and maintaining a valid Short-Term Rental License, have a Locally Present Responsible Party (LPRP) at all times that the property is occupied by guests. The LPRP is the person responsible for ensuring compliance with this Ordinance, managing the operation of the short-term rental, and responding in person to any emergency, complaint, or notice of violation at any time the property is occupied.

This requirement shall be satisfied by the property owner's election of one of the following two tracks. The election of a track shall be made at the time of application and shall remain in effect for the duration of the License year, subject to the provisions of subsection (C) of this Section. An out-of-county or out-of-state property owner who is unable to satisfy Track One may satisfy this requirement by electing Track Two.

#### **(A) Track One: Owner as Locally Present Responsible Party.**

The property owner may serve as the LPRP if the owner:

- (i) Is a natural person;
- (ii) Maintains his or her primary place of residence within Greenville County, South Carolina, as evidenced by a valid South Carolina driver's license or state-issued identification card bearing a Greenville County address, a current voter registration card showing a Greenville County address, or other documentation acceptable to the Zoning Administrator;
- (iii) Is physically capable of being present at the short-term rental property within sixty (60) minutes of receiving notice of any issue, complaint, or emergency at any time the property is occupied by guests; and

- (iv) Has authorized, in writing as part of the License application, service of civil process upon the owner personally for purposes of all proceedings arising under this Ordinance.

An owner who elects Track One shall submit a signed, notarized Owner Local Presence Declaration on the form provided by the Zoning Administrator certifying compliance with the requirements of this subsection.

**(B) Track Two: Designated Agent as Locally Present Responsible Party.**

If the property owner does not reside within Greenville County, or if the owner resides within Greenville County but elects not to serve as LPRP, the owner shall designate a natural person to serve as the Locally Present Responsible Party. The Designated Agent must:

- (i) Maintain his or her primary place of residence within Greenville County or maintain a staffed principal business office within Greenville County at which the agent is routinely physically present during normal business hours;
- (ii) Be physically capable of being present at the short-term rental property within sixty (60) minutes of receiving notice of any issue, complaint, or emergency at any time the property is occupied by guests;
- (iii) Be reachable by phone at all times that the short-term rental property is occupied by guests;
- (iv) Be expressly authorized by the property owner in writing and pursuant to a notarized Designated Agent Authorization Form to act as the owner's agent with respect to all matters related to the short-term rental, including the authority to make decisions regarding the property, to address complaints and emergencies, and to accept service of civil process on behalf of the owner; and
- (v) Not be a guest or a person who is compensated solely through a contingent interest in rental revenue such that the agent's availability is not conditioned upon whether the property is actively rented.

An owner who elects Track Two shall submit a signed, notarized Designated Agent Authorization Form on the form provided by the Zoning Administrator,

executed by both the property owner and the Designated Agent, confirming that the agent meets all qualifications of this subsection and accepts the obligations and liabilities of the LPRP.

**(C) Change of Track or Agent.**

The License holder may change the elected track or, if electing Track Two, change the identity of the Designated Agent by providing written notice to the Zoning Administrator within five (5) business days of any such change, accompanied by the updated Declaration or Authorization Form for the newly elected track or agent. During any period in which no qualifying LPRP has been designated, the License holder shall suspend all short-term rental activity until a qualifying LPRP is in place. Failure to maintain a qualifying LPRP at all times during the License year shall constitute a violation of this Ordinance.

**(D) Notice to Guests and Posting.**

The License holder shall ensure that the name and direct phone number of the LPRP are:

- (1) Conspicuously posted within the short-term rental property in a location clearly visible to guests upon arrival; and
- (2) Provided in writing to each guest at or before the time of occupancy.

**(E) Liability of LPRP.**

The Locally Present Responsible Party, in addition to the property owner, shall be personally subject to civil liability for any violation of this Ordinance occurring during the period of his or her designation and shall be personally subject to criminal liability for the offense described in Section 17(A).

**Section 9. Business Registration and SCDOR Registration Requirement**

(A) Every person who operates a short-term rental within the unincorporated area of Greenville County shall obtain and maintain a valid Greenville County Business Registration as required by the applicable County ordinance. A Business Registration shall be obtained prior to the commencement of any short-term rental activity and shall be renewed annually.

(B) A Short-Term Rental License shall not be issued or renewed unless the applicant has obtained a valid Greenville County Business Registration for the short-term rental operation.

(C) In addition to the Business Registration requirement, every operator of a short-term rental shall register with the South Carolina Department of Revenue for purposes of the collection and remittance of applicable state and local taxes, including, but not limited to, the South Carolina accommodations tax and the Greenville County local accommodations fee imposed by Greenville County Ordinance. Evidence of such registration shall be provided to the Zoning Administrator upon request.

(D) The failure to maintain a valid Business Registration shall constitute grounds for the suspension or revocation of the Short-Term Rental License as provided in Sections 13 and 14 of this Ordinance.

## **Section 10. Operating Standards**

The following operating standards shall apply to all short-term rentals within the unincorporated areas of Greenville County:

(A) Minimum Age of Guest. The guest who makes the booking or reservation for a short-term rental shall be at least twenty-five (25) years of age. It shall be the responsibility of the property owner, License holder, and LPRP to verify that the booking guest meets the minimum age requirement prior to confirming any reservation. A copy of the booking guest's valid government-issued photo identification shall be retained by the License holder for a period of four (4) years and shall be made available to the County upon request.

(B) Minimum Duration of Stay. No short-term rental shall be made available to any guest for a period of less than one (1) night.

(C) Maximum Duration of Stay. No short-term rental shall be made available to any guest for a period of more than twenty-nine (29) days.

(D) Parking. A minimum of two (2) off-street parking spaces shall be designated for the exclusive use of guests of the short-term rental. All guest vehicles shall be parked in the designated spaces or in other lawful on-site parking areas. All on-street parking related the use of the dwelling unite as a short term rental is prohibited. No parking of guest vehicles shall occur in any manner that blocks access to adjacent properties, obstructs any public right-of-way, or violates any applicable parking regulation. The License holder shall

inform each guest in writing of the designated parking spaces and the maximum number of vehicles allowed at the property.

(E) Guest Information. At or before the time of occupancy, the License holder shall provide each guest in writing with the following minimum information:

- (i) The name and direct phone number of the Locally Present Responsible Party;
- (ii) The Short-Term Rental License Number and Greenville County Business Registration Number;
- (iii) Emergency contact numbers, including local law enforcement and emergency services;
- (iv) Instructions or a diagram showing the designated parking spaces and the maximum number of vehicles allowed; and
- (v) All applicable rules of the short-term rental property imposed by the owner.

(F) Records. The License holder shall maintain the following records and shall make them available to the County upon request:

- (i) For a period of four (4) years, records demonstrating compliance with the provisions of this Ordinance, including the number of days per calendar year during which the short-term rental was occupied by guests; and
- (ii) For a period of four (4) years, the name, telephone number, and age verification documentation for each guest who made a booking or reservation for the short-term rental.

(G) Compliance with Other Laws. The License holder and the LPRP shall ensure that the short-term rental and its operation comply at all times with all applicable local, state, and federal laws, ordinances, and regulations, including, but not limited to, building codes, the International Property Maintenance Code as adopted by Greenville County, fire codes, and health and sanitation regulations.

(H) Prohibited Structures. The following shall not be used as short-term rentals: tents, recreational vehicles, boats, trailers, storage sheds, shipping containers, garages, or any structure not designed, constructed, and permitted for residential occupancy.

### **Section 11. Designation of Locally Present Responsible Party as Owner's Agent for Service of Process**

By executing the Declaration or Authorization Form required by Section 8 of this Ordinance, the property owner irrevocably appoints the Locally Present Responsible Party as the owner's agent for service of civil process in connection with any proceeding arising under this Ordinance. Service upon the LPRP shall be effective service upon the property owner for all such purposes.

### **Section 12. Expiration and Renewal of License**

(A) Each Short-Term Rental License shall expire one (1) year from the date of issuance and may be renewed annually by making application as provided in Section 5 of this Ordinance. Application for renewal should be made not less than thirty (30) days before the expiration date. A License that is not renewed prior to its expiration date shall be void, and the operation of a short-term rental after License expiration shall constitute a violation of this Ordinance.

(B) When the Zoning Administrator denies renewal of a License, the applicant shall not be issued a new License for one (1) year from the date of denial unless the Zoning Administrator finds that the basis for denial has been corrected or abated and that at least ninety (90) days have elapsed since the date the denial became final.

### **Section 13. Notice of Violation, Citizen Complaint, and Suspension of License**

(A) Notice of Violation. Before suspending or revoking a Short-Term Rental License on any ground other than an imminent threat to public health, safety, or welfare, the Zoning Administrator shall issue a written notice of violation to the Licensee and the Locally Present Responsible Party. The notice shall describe the nature of the alleged violation, identify the corrective action required, and state a cure period of not less than ten (10) days. The Zoning Administrator may, in writing, order the discontinuance of any illegal activity at the short-term rental property pending compliance with the notice. Failure

to cure within the period stated in the notice shall be grounds for suspension or revocation of the License under this Section or Section 14.

(B) Citizen Complaints. Any person may file a written complaint with the Zoning Administrator alleging a violation of this Ordinance. The complaint shall state fully the causes and bases of the alleged violation. The Zoning Administrator shall record each complaint received, investigate the alleged violation, and take such action as is authorized by this Ordinance.

(C) Grounds for Suspension. The Zoning Administrator shall suspend a Short-Term Rental License for a period not to exceed thirty (30) days if the Administrator determines that a Licensee or the LPRP has:

- (i) Violated or is not in compliance with any provision of this Ordinance;
- (ii) Operated the short-term rental in violation of any applicable County ordinance, state law, or federal law;
- (iii) Failed to maintain a qualifying Locally Present Responsible Party as required by Section 8 of this Ordinance;
- (iv) Failed to maintain a valid Greenville County Business Registration as required by Section 9 of this Ordinance; or
- (vi) Allowed a guest under the age of twenty-five (25) to make a booking or reservation in violation of Section 10(a) of this Ordinance.

Such determination may be based upon information obtained independently by the Zoning office, a conviction under Section 17 of this Ordinance, a separate criminal conviction that would constitute a violation of this Ordinance, or information from law enforcement, the fire department, or other officials charged with enforcing the law.

#### **Section 14. Revocation of License**

(A) The Zoning Administrator shall revoke a Short-Term Rental License if a cause of suspension has occurred and the License has already been suspended within the preceding twelve (12) months.

(B) The Zoning Administrator shall revoke a Short-Term Rental License if the Administrator determines that:

(i) The Licensee or LPRP provided false or misleading information in the License application, renewal application, or any document submitted in connection with the short-term rental;

(ii) The Licensee or LPRP has allowed the use of the short-term rental property in a manner that violates this Ordinance or any applicable law on three (3) or more occasions within a twelve (12) month period;

(iii) The Licensee operated the short-term rental during a period of suspension;

(iv) The Licensee or LPRP has knowingly allowed any use of the property that constitutes a violation of state or federal law; or

(v) The Licensee is delinquent in payment to the County or state for any taxes, fees, fines, or penalties related to the short-term rental operation.

(C) When the Zoning Administrator revokes a License, the revocation shall continue for one (1) year, and the Licensee shall not be issued a new Short-Term Rental License for the same property for one (1) year from the date revocation became effective. If the Zoning Administrator subsequently finds that the basis for revocation has been corrected or abated, the applicant may be granted a new License if at least ninety (90) days have elapsed since the date the revocation became effective.

### **Section 15. Non-Transferability of License**

A Licensee shall not transfer, assign, or convey a Short-Term Rental License to any other person or entity, nor shall a Licensee operate a short-term rental under the authority of a License at any address other than the address designated in the License application. Any purported transfer, assignment, or conveyance of a License shall render the License void.

### **Section 16. Liability of Owner, LPRP, and Guest**

(A) Liability of Owner. The property owner shall be responsible for ensuring compliance with all requirements of this Ordinance and shall be subject to all civil and criminal penalties provided in this Ordinance, regardless of whether a Designated Agent has been elected under Track Two. The designation of a Designated Agent does not relieve the property owner of personal liability for violations of this Ordinance.

(B) Liability of the Locally Present Responsible Party. The LPRP, whether the owner under Track One or the Designated Agent under Track Two, shall be personally liable for any civil penalty imposed for any violation of this Ordinance occurring during the period of his or her designation, including, but not limited to, violations resulting from the LPRP's failure to supervise the operation of the short-term rental or to respond promptly to complaints or notices of violation.

### **Section 17. Penalties**

(A) Criminal Penalty. Any Person who operates, advertises, offers, lists, or leases a short-term rental without a valid Short-Term Rental License as required by this Ordinance is guilty of a misdemeanor punishable by a fine and/or imprisonment up to the jurisdictional limits of the Greenville County Magistrate Courts. Each day a violation continues shall constitute a separate and distinct offense.

(B) Civil Penalty. Any violation of this Ordinance other than the criminal offense described in subsection (A) shall be enforceable by civil remedy. Civil remedies include (i) a civil penalty of not more than two hundred fifty dollars (\$250.00) per day per violation, recoverable by the County in any court of competent jurisdiction or through any administrative enforcement mechanism authorized by County ordinance; (ii) suspension or revocation of the Short-Term Rental License and referral for revocation of the Greenville County Business Registration as provided in Sections 13 and 14 of this Ordinance; and (iii) injunctive relief and any other appropriate civil remedy. Each day a

violation continues shall constitute a separate and distinct violation for purposes of civil enforcement.

(C) Injunction. Any person who operates or causes to be operated a short-term rental without a valid License or in violation of any provision of this Ordinance is subject to a suit for injunction. Injunctive relief is in addition to, and not in lieu of, the criminal and civil remedies described in subsections (A) and (B). The County may seek injunctive relief in the Court of Common Pleas for Greenville County, South Carolina without posting bond.

(D) Cumulative Remedies. The remedies provided in this Section are cumulative and not exclusive. The exercise of any remedy shall not prevent the concurrent or subsequent exercise of any other remedy available under this Ordinance or any other applicable law.

## **Section 18. Appeals**

Any person aggrieved by a decision of the Zoning Administrator to deny, suspend, or revoke a Short-Term Rental License may appeal such decision to the Greenville County Board of Zoning Appeals within thirty-five (35) days of the date of the decision, in accordance with the appeal procedures set forth in Section 3:5 of the Greenville County Zoning Ordinance. An appeal shall stay enforcement of the administrative decision except when the Zoning Administrator certifies in writing that immediate enforcement is necessary to prevent imminent peril to life or property.

## **Section 19. Coordination with Other County Ordinances**

Nothing in this Ordinance shall be construed to supersede, limit, or otherwise affect any other applicable County ordinance, including, but not limited to, the Greenville County Zoning Ordinance, the Greenville County Land Development Regulations, the County Property Maintenance Code, the County Building Code, the County's local accommodations fee ordinance, and the Greenville County Business Registration requirements. All applicable ordinances shall remain in full force and effect, and operators of short-term rentals are responsible for compliance with all applicable requirements. In the event of any conflict between this Ordinance and any other applicable County ordinance, the more restrictive provision shall govern. Nothing in this Ordinance shall be construed to limit, impair, or otherwise affect the application of any state or federal law. To the extent any provision of state or federal law imposes a higher standard or stricter requirement than this Ordinance, the state or federal provision shall govern.

**Section 20. Severability and Validity**

If any paragraph, clause, phrase, or provision of this Ordinance is adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part or provision of the Ordinance other than the part so decided to be invalid or unconstitutional.

**Section 21. Effective Date**

This Ordinance shall take effect upon the date of its adoption. Short-term rentals lawfully operating as of the effective date of this Ordinance shall have sixty (60) calendar days from the effective date in which to submit a complete License application in compliance with this Ordinance. During this sixty (60) day period, the County shall not initiate enforcement action against a short-term rental operator for failure to have obtained a License. After the expiration of the sixty (60) day grace period, all provisions of this Ordinance shall be in full force and effect as to all short-term rental operations, regardless of when they were established.

DONE IN REGULAR MEETING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Benton Blount, Chairman  
Greenville County Council

ATTEST:

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Regina McCaskill  
Clerk to Greenville County Council

\_\_\_\_\_  
Joseph M. Kernell  
Greenville County Administrator