

## AN ORDINANCE

### TO PROVIDE FOR THE REGISTRATION OF SHORT TERM RENTALS WITHIN THE UNINCORPORATED AREAS OF GREENVILLE COUNTY, SOUTH CAROLINA, AND FOR THE ENFORCEMENT OF THIS ORDINANCE BY UNIFORM ORDINANCE SUMMONS.

**BE IT ORDAINED** the County Council of Greenville County, South Carolina:

**Section 1. Findings.** Short Term Rental activity has increased significantly in the unincorporated areas of Greenville County. The County, however, lacks a reliable means of identifying the properties offered for Short Term Rental and the owners and operators who offer them for rental. In addition, many Short Term Rental owners and operators fail to collect and pay the South Carolina Accommodations Tax and the County's Local Accommodations fee, while owners and operators offering similar rental accommodations collect and pay the tax and fee. There has also been an increasing number of complaints from neighboring property owners of Short Term Rental guests causing nuisances and disturbances in the community by, among other things, causing excessive noise late in evenings and parking vehicles so that they impede egress and ingress from and to other properties. The County Council, therefore, finds that the regulation of Short Term Rentals will protect the health, safety, and general welfare of the citizens of Greenville County.

**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 operates in addition to, and not in lieu of, that Ordinance and any applicable use conditions. A Short Term Rental is allowed in a zoned area in any legally existing dwelling unit unless otherwise prohibited by private agreement or applicable law. If a conflict arises between this Ordinance and the Zoning Ordinance, the more restrictive provision governs.
- B. **Unzoned Areas.** In areas governed by the Greenville County Land Development Regulations but not subject to the Greenville County Zoning Ordinance, a Short Term Rental is allowed in any area in which residential dwelling uses are lawfully established subject to this Ordinance and the Land Development Regulations. If a conflict arises between this Ordinance and the Land Development Regulations, the more restrictive provision governs.
- C. **Entire Dwelling Unit Required; Exception for Owner-Occupied Room Rentals.** A Short Term Rental shall consist of the entire dwelling unit, except that a Room Rental is allowed if at all times during the rental:

1. the dwelling unit is the primary residence of:
  - a. a natural person holding title to the property or
  - b. a natural person who is a member or owner of an entity that holds title to the property;
- and
2. that person is physically present on the premises. A Room Rental is prohibited during any period in which that person is not present.

D. Exclusions. This Ordinance does not apply to hotels, motels, bed and breakfast establishments, inns, or other transient accommodations licensed and operated as commercial lodging businesses under applicable State law and County ordinances.

### **Section 3. Definitions.**

For the purposes of this Ordinance, the following terms have the meanings stated below whether or not they are capitalized in the text of this Ordinance:

- A. Designated Agent. The natural person who is responsible for the operation of a Short Term Rental, who satisfies the requirements of Section 7(B), and who the owner identifies as the Designated Agent on the Designated Agent Form filed with the County. The Designated Agent must be a natural person and, provided that the person satisfies the requirements of Section 7(B), may be:
  1. the Owner, if the Owner is a natural person holding title to the property;
  2. a natural person who is a member or owner of an entity holding title to the property;  
or
  3. any other natural person designated in writing by the Owner.
- B. Designated Agent Form. The form provided by the Zoning Administrator on which the property owner identifies the person who is to be the Designated Agent and through which the owner or, if that person is not the owner, that person accepts the obligations of Section 7.
- C. Dwelling. Any building used exclusively for human habitation including any permitted home occupation but excluding hotels, motels, and rooming and boarding houses.
- D. Dwelling Unit. One or more rooms with a kitchen and toilet facilities used as a place of residence for one family, as further defined in the Greenville County Zoning Ordinance and Land Development Regulations.
- E. Guest. Any person who occupies a Short Term Rental and pays or is obligated to pay consideration for that occupancy.

- F. Operator. The person or entity that offers, advertises, lists, or manages a Short Term Rental for compensation. The term includes a property management company and any person or entity that leases a property from the owner and re-offers it as a Short Term Rental. If the property owner offers the rental without a third-party manager, the owner is also the Operator.
- G. 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.
- H. 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.
- I. Primary Residence. The dwelling unit in which a natural person actually resides for more than one-half of the calendar year and which the person claims as his or her legal residence for purposes of voter registration, driver's licensing, and income tax filing.
- J. Registrant. Any person or entity in whose name a valid Short Term Rental Registration has been issued.
- K. Registration Number. The Short Term Rental Registration Number assigned by the Zoning Administrator to a Short Term Rental property upon issuance of a Registration.
- L. Room Rental. A Short Term Rental of less than the entire dwelling unit, including the rental of one or more bedrooms while other portions of the dwelling are used by the owner or other occupants. A dwelling may not be structurally modified or compartmentalized so as to change the building type under which it initially received a Certificate of Occupancy without receiving approval of a new Building Permit.
- M. 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 includes any dwelling unit, or any portion of a dwelling unit, that is advertised, listed, or offered for such rental on any hosting platform, website, application, or other medium, regardless of whether any rental actually occurs. Hotels, motels, bed and breakfast establishments, and inns licensed and operated as commercial lodging businesses under applicable State law are excluded.
- N. Short Term Rental Registration or Registration. The annual registration issued by the Greenville County Zoning Administrator under this Ordinance for the operation of a Short Term Rental at a specified address.
- O. Uniform Ordinance Summons. The ordinance summons adopted by Greenville County under S.C. Code Ann. § 56-7-80 for the enforcement of County ordinances.
- P. Zoning Administrator. The Greenville County Zoning Administrator or his or her authorized designee.

**Section 4. Short Term Rental Registration Requirement.**

- A. No person shall operate, offer, advertise, or list a Short Term Rental within the unincorporated areas of Greenville County without a valid Short Term Rental Registration. Any advertisement, listing, or offering of a dwelling unit as a Short Term Rental, by any person and on any medium, is sufficient evidence that the property is being operated as a Short Term Rental subject to this Ordinance.
- B. A separate Short Term Rental Registration is required for each Short Term Rental property.
- C. A Short Term Rental Registration is not transferable. Any change in ownership of the property voids the existing Short Term Rental Registration, and the new owner shall apply for a new Short Term Rental Registration before operating the property as a Short Term Rental.
- D. A Short Term Rental Registration does not exempt the Registrant from any other applicable County, State, or federal law, including the requirement to obtain and maintain a Greenville County Business Registration and to register for the collection and remittance of accommodations taxes and fees.

**Section 5. Application for Registration.**

- A. Application for a Short Term Rental Registration shall be made on a form provided by the Zoning Administrator. No application is complete unless it includes all of the following:
  - 1. Owner Identification. The name, mailing address, email address, and phone number of the property owner. If the owner is an entity rather than a natural person, the name and contact information of the natural person who is an owner or member of the entity;
  - 2. Operator Identification. If the Operator is a person other than the property owner, the name, mailing address, email address, and phone number of the Operator, and a description of the Operator's role as property management company, lessee, or other;
  - 3. Property Information. The address and Greenville County Tax Map Number of the Short Term Rental property;
  - 4. Rental Type. Whether the entire dwelling unit or a Room Rental is to be offered, and the maximum number of bedrooms available to guests;
  - 5. Designated Agent Form. A completed Designated Agent Form identifying the Designated Agent by name, stating whether the Designated Agent is the property owner or another person, and stating the Designated Agent's residence or business address and the phone number required by Section 7;

6. Business Registration. A copy of the current Greenville County Business Registration for the Short Term Rental operation, if applicable;
  7. Accommodations Tax Registration. Evidence of registration with the South Carolina Department of Revenue for the collection and remittance of the South Carolina accommodations tax, if applicable, and with the County office designated to administer the Greenville County local accommodations fee in a form acceptable to the Zoning Administrator, if applicable; and
- B. The application shall be signed by the property owner or by an individual expressly authorized to execute legal documents for the owner.
- C. The Zoning Administrator shall review the application for completeness and compliance with this Ordinance. An incomplete application shall be returned to the applicant within ten (10) business days of receipt with a written explanation of the deficiencies. The Zoning Administrator shall act on a complete application within thirty (30) days of receipt.

**Section 6. Issuance of Registration.**

- A. The Zoning Administrator shall issue a Short Term Rental Registration within thirty (30) days after receipt of a complete application unless the Administrator finds one or more of the following:
1. The applicant is under eighteen (18) years of age;
  2. The applicant has failed to provide information reasonably necessary for issuance of the Short Term Rental Registration or has materially falsified any information on the application;
  3. The Short Term Rental property is not a legally existing residential dwelling unit;
  4. The application is for a Room Rental and the property is not the primary residence of a natural person holding title to it;
  5. The application does not include a completed and valid Designated Agent Form;
  6. The applicant has not provided evidence of a Greenville County Business Registration or of accommodations tax registration, if applicable, as required by Sections 5(A)(6) and (7);
  7. The applicant or the property is in violation of this Ordinance or of any other applicable County ordinance. Operation of a Short Term Rental without a Short Term Rental Registration during the ninety (90) day period allowed by Section 20 is not a ground for denial under this subsection; or
  8. A Short Term Rental Registration for the same property was revoked within the preceding twelve (12) months, except as provided in Section 13(D).

- B. The Short Term Rental Registration shall state on its face the name of the Registrant, the address of the Short Term Rental property, the expiration date, the Registration Number, and the name and phone number of the Designated Agent.
- C. The Registrant and the Operator shall include the Registration Number in every advertisement, listing, and posting for the Short Term Rental, regardless of the medium or platform.
- D. A denial shall be in writing, shall state the grounds for the denial, and shall state the right to appeal under Section 16.

**Section 7. Designated Agent.**

- A. Designation Required. Every Short Term Rental shall have a Designated Agent at all times that the property is registered under this Ordinance. The Designated Agent is responsible for the operation of the Short Term Rental, for compliance with this Ordinance, and for response to property-related issues at the rental while guests are present.
- B. Requirements. The Designated Agent shall:
  - 1. Maintain a working phone number that is stated on the Designated Agent Form and at which the guest, the County, or law enforcement can be reach the Designated Agent at any hour that guests occupy the property;
  - 2. Reside or maintain a place of business at a location from which the Designated Agent is able to be physically present at the Short Term Rental property within twenty-four (24) hours of receiving notice from the County, from the Registrant, or from a guest that the presence of a person with authority over the property is needed, including for the purpose of providing access, addressing a property condition, or abating a violation of this Ordinance. The Designated Agent shall state that address on the Designated Agent Form; and
  - 3. Be authorized by the property owner to act for the owner in all matters relating to the Short Term Rental, including the authority to address property conditions, to receive on the owner's behalf notices of violation and uniform ordinance summonses issued under this Ordinance.
- C. Service of Notices, Summonses, and Process. By signing the Designated Agent Form, the property owner appoints the Designated Agent as the owner's agent for delivery of any notice of violation or uniform ordinance summons issued under this Ordinance and for service of civil process in any proceeding arising under this Ordinance. Delivery to or service upon the Designated Agent is effective delivery to and service upon the property owner for those purposes.
- D. Notice to Guests. The Registrant shall provide the name and phone number of the Designated Agent in writing to each guest at or before the time of occupancy.

- E. Change of Designated Agent. The Registrant shall notify the Zoning Administrator in writing within five (5) business days of any change in the Designated Agent and shall file an updated Designated Agent Form. During any period in which no qualifying Designated Agent is in place, the Registrant shall suspend all Short Term Rental activity.

**Section 8. Business Registration and Accommodations Taxes.**

- A. Business Registration. Every person who operates a Short Term Rental within the unincorporated areas of Greenville County shall maintain a valid Greenville County Business Registration, if applicable. The Business Registration shall be obtained before any Short Term Rental activity begins and shall be renewed as required by the County's Business Registration Ordinance.
- B. Accommodations Tax Registration. Every Operator of a Short Term Rental shall register and remain registered with the South Carolina Department of Revenue for the collection and remittance of the South Carolina accommodations tax, if the tax is applicable, and with the County office designated to administer the Greenville County local accommodations fee, if applicable.
- C. Collection and Remittance. The Operator shall collect from guests all accommodations taxes and fees imposed on rentals of the property and shall timely remit the State accommodations tax to the South Carolina Department of Revenue and the Greenville County local accommodations fee to the County. Collection and remittance by a hosting platform on the Operator's behalf satisfies this subsection as to the amounts the platform collects and remits, provided that the hosting platform provides the County with all information required for the accommodations tax and fee for each individual Short Term Rental.
- D. Failure to Comply. Failure to maintain a valid Greenville County Business Registration, applicable, failure to maintain accommodations tax registration, if applicable, or failure to collect and remit accommodations taxes and fees, if applicable, is a violation of this Ordinance and is grounds for the remedies provided in this Ordinance.

**Section 9. Operating Standards.**

The following standards apply to every Short Term Rental within the unincorporated areas of Greenville County:

- A. Minimum Age. The guest who makes the booking or reservation shall be at least twenty-one (21) years of age, shall be a party to the rental agreement, and shall occupy the Short Term Rental during the rental term.
- B. Minimum and Maximum Duration of Stay. No Short Term Rental shall be made available to a guest for a period of less than one (1) night or a period of more than twenty-nine (29) consecutive nights.
- C. Parking. No vehicle of a guest of a Short Term Rental shall be parked so as to block or impede ingress to or egress from any other property or to block part or all of any

driveway or private access easement serving any other property. The Registrant is responsible for compliance with this subsection by the guests of the Short Term Rental.

- D. Guest Information. At or before the time of occupancy, the Registrant shall provide each guest with:
1. The name and phone number of the Designated Agent, as required by Section 7;
  2. The Registration Number;
  3. Emergency contact numbers, including local law enforcement and emergency services; and
  4. The parking restrictions set by this Ordinance.
- E. Compliance with Other Laws. The Registrant, the Operator, and the Designated Agent shall ensure that the Short Term Rental and its operation comply at all times with all applicable local, State, and federal law.
- F. Prohibited Structures. No person shall use any of the following as a Short Term Rental: a tent, recreational vehicle, boat, trailer, storage shed, shipping container, garage, or any other structure not designed, constructed, and permitted for residential occupancy.

**Section 10. Expiration and Renewal of Registration.**

- A. A Short Term Rental Registration expires one (1) year from the date of issuance. It may be renewed annually by application under Section 5. A Short Term Rental Registration that is not renewed before it expires is void, and operation of a Short Term Rental after expiration is a violation of this Ordinance.
- B. If a complete renewal application is filed before the Short Term Rental Registration expires, the existing Short Term Rental Registration remains in effect until the Zoning Administrator acts on the renewal application.
- C. If the Zoning Administrator denies renewal, the applicant shall not be issued a new Registration for one (1) year from the date of denial unless the Zoning Administrator finds that the basis for the denial has been corrected and that at least ninety (90) days have elapsed since the denial became final.

**Section 11. Notice of Violation.**

Upon determining that a violation of this Ordinance has occurred, the Zoning Administrator shall issue a written notice of violation to the Registrant and the Designated Agent to the addresses identified in the application and Designated Agent Form. The notice shall describe the violation, identify the corrective action required, state the cure period, and state that a uniform ordinance summons may be issued if the violation is not cured within the cure period. Except when the Zoning Administrator finds an imminent threat to public health, safety, or welfare, the cure period shall be not less than ten (10) days.

**Section 12. Civil Infraction; Uniform Ordinance Summons; Civil Penalty.**

- A. Civil Infraction. A violation of this Ordinance is a civil infraction and will be charged by service of a uniform ordinance summons, issued by a Greenville County code enforcement officer commissioned under S.C. Code Ann. § 4-9-145 or by a law enforcement officer, as authorized by S.C. Code Ann. § 56-7-80. Each summons shall cite one violation. Service of the summons vests the magistrate's court with jurisdiction to hear and dispose of the charge. The summons may be issued to the Registrant, to the Operator, or to the Designated Agent, and a summons served on the Designated Agent is service on the property owner under Section 7.
- B. Civil Penalty. Upon a finding by the court that a violation occurred, the court shall impose a civil penalty as follows, counting violations of this Ordinance occurring at the same property within a rolling twelve (12) month period:
1. First violation. No civil penalty is imposed if the violation is cured within the cure period stated in the notice of violation issued under Section 11. If the violation is not cured within that period, a uniform ordinance summons may be issued, and the court shall impose a civil penalty of up to one hundred dollars (\$100.00).
  2. Second violation. A civil penalty of up to two hundred fifty dollars (\$250.00).
  3. Third and subsequent violations. A civil penalty of five hundred dollars (\$500.00) or of an amount up to the jurisdictional limit of the magistrates' courts, whichever is lower.
- C. Maximum Penalty. No civil penalty imposed under this Ordinance shall exceed five hundred dollars (\$500.00) for any single violation, and in no event shall a penalty imposed under this Ordinance exceed the penalty jurisdiction of the magistrates' courts.
- D. Continuing Violations. When a violation is continuing in nature, each day the violation continues after expiration of the cure period stated in the notice of violation is a separate violation.
- E. Liability. The Registrant, the Operator, and the Designated Agent are each subject to a uniform ordinance summons and to the civil penalty prescribed by this Section for a violation of this Ordinance, except that the Designated Agent is subject to penalty only for a violation occurring during the period of that person's designation.
- F. Other Remedies. The civil penalty provided in this Section is in addition to, and not in lieu of, suspension or revocation of the Short Term Rental Registration under Section 13 and any other civil remedy available to the County. The County may seek injunctive relief in the Court of Common Pleas for Greenville County, South Carolina, without posting bond.

**Section 13. Suspension and Revocation of Registration.**

- A. Grounds. The Zoning Administrator may suspend a Short Term Rental Registration for a period not to exceed thirty (30) days, or revoke it, if the Registrant, the Operator, or the Designated Agent:
1. Provides false or misleading information in the application, the renewal application, or any other document submitted in connection with the Short Term Rental;
  2. Operates the Short Term Rental during a period of suspension;
  3. Fails to maintain a qualifying Designated Agent as required by Section 7;
  4. Fails to maintain a valid Greenville County Business Registration or accommodations tax registration, if applicable, as required by Section 9;
  5. Fails to timely remit collected accommodations taxes and fees;
  6. Offers a Room Rental at a time when the person holding title was not present on the premises, or when the dwelling unit was not that person's primary residence, in violation of Section 2;
  7. Allows a guest under twenty-one (21) years of age to make a booking or reservation in violation of Section 9;
  8. Becomes delinquent in payment to the County or the State of any tax, fee, fine, or penalty related to the Short Term Rental operation; or
  9. Is found by a magistrate's court to have violated this Ordinance three (3) or more times at the same property within a rolling twelve (12) month period.
- B. Notice Required. The Zoning Administrator shall not suspend or revoke a Short Term Rental Registration without first delivering to the Registrant and the Designated Agent a written notice stating the grounds for the suspension or revocation, its effective date, and the right to appeal under Section 16.
- C. Imminent Threats. When the Zoning Administrator determines that a condition at the Short Term Rental poses an imminent threat to public health, safety, or welfare, the Zoning Administrator may suspend the Short Term Rental Registration immediately, in which case the notice required by subsection (B) shall be delivered no later than three (3) business days after the suspension takes effect.
- D. Effect of Revocation. A revoked Short Term Rental Registration shall not be reissued for the same property for one (1) year from the date the revocation became effective. If the Zoning Administrator later finds that the basis for revocation has been corrected, a new Short Term Rental Registration may be issued for the property if at least ninety (90) days have elapsed since the revocation became effective.

**Section 14. Non-Transferability of Registration.**

A Registrant shall not transfer, assign, or convey a Short Term Rental Registration to any other person or entity and shall not operate a Short Term Rental under the authority of a Short Term Rental Registration at any address other than the address stated on the Short Term Rental Registration. Any purported transfer, assignment, or conveyance of a Short Term Rental Registration renders the Short Term Rental Registration void. A change in ownership of the property requires the new owner to apply for a new Short Term Rental Registration under Section 5.

**Section 15. Liability of Owner, Operator, and Designated Agent.**

The property owner, the Operator, and the Designated Agent are each responsible for compliance with this Ordinance and are each subject to the civil penalty it provides. Designating another person as the Designated Agent does not relieve the property owner of liability for a violation of this Ordinance.

**Section 16. Appeal of Registration Decisions.**

- A. Scope. This Section governs the appeal of a decision of the Zoning Administrator to deny a Registration, to deny a renewal, or to suspend or revoke a Short Term Rental Registration. A civil penalty charged by uniform ordinance summons is heard by the magistrates' courts and is not appealable under this Section. Any appeal from a decision of the magistrates' courts will be governed by State law.
- B. Right of Appeal. Any person aggrieved by a decision described in subsection (A) may appeal that decision to the Zoning Administrator by filing a written notice of appeal within fifteen (15) days of the date the decision is delivered. The notice of appeal shall state the grounds for the appeal and may be accompanied by any written material the appellant wishes the Administrator to consider.
- C. Review. The Zoning Administrator shall review the decision on the record of the matter, together with any written material submitted with the notice of appeal. If the appellant requests a conference in the notice of appeal, the Zoning Administrator shall hold an informal conference with the appellant before deciding the appeal.
- D. Decision. The Zoning Administrator shall issue a written decision on the appeal within thirty (30) days of receipt of the notice of appeal, stating the reasons for the decision. The written decision is the final administrative decision of the County on the matter.
- E. Stay. The filing of a notice of appeal stays enforcement of the decision appealed from, unless the Zoning Administrator certifies in writing that immediate enforcement is necessary to prevent imminent peril to life or property.

**Section 17. Coordination with Other County Ordinances.** Nothing in this Ordinance supersedes, limits, or otherwise affects any other applicable County ordinance. If this Ordinance conflicts with another applicable County ordinance, the more restrictive provision governs. If a

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provision of State or federal law imposes a higher standard or a stricter requirement than this Ordinance, the State or federal provision governs.

**Section 18. 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, that declaration shall not affect the validity of the Ordinance as a whole or of any part or provision other than the part decided to be invalid or unconstitutional.

**Section 19. Repeal.** Except as otherwise addressed by this Ordinance, any ordinance, resolution, or order, the terms of which conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 20. Effective Date.**

This Ordinance takes effect upon the date of its adoption. A Short Term Rental lawfully operating on the effective date shall have ninety (90) calendar days from the effective date in which to submit a complete Short Term Rental Registration application under this Ordinance and to come into compliance with this Ordinance. During that ninety (90) day period, the County shall not initiate enforcement action against the operator of such a Short Term Rental for failure to have obtained a Short Term Rental Registration or for failure to comply with this Ordinance. After the ninety (90) day period expires, all provisions of this Ordinance are 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 \_\_\_\_\_, 2026.

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Benton Blount, Chairman  
Greenville County Council

ATTEST:

\_\_\_\_\_  
Regina McCaskill  
Clerk to Council

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