

**CITY OF MIDDLETOWN  
ORDINANCE NO. 11-09-2023-B  
AN ORDINANCE AMENDING AND ADDING SHORT TERM RENTALS  
TO THE MIDDLETOWN DEVELOPMENT CODE**

**WHEREAS**, the City of Middletown has added certain text amendments to its Land Development Code over the years as those text amendments were drafted, heard, and recommended to the legislative body members by the Louisville Metro Planning Commission in accordance with Kentucky Revised Statutes Chapter 100,

**WHEREAS**, The City of Middletown is in receipt of a text amendment relating to short term rentals recommended for approval by the Louisville Metro Planning Commission on July 17<sup>th</sup>, 2023, Case 23-LDC-001,

**WHEREAS**, Kentucky Revised Statutes Chapter 100.211 allows legislative bodies to adopt the text amendment recommendations of the Louisville Metro Planning Commission in whole, or as the text amendment may be amended by the Legislative Body, as KRS 100.205 does not require identical zoning regulations among cities and counties comprising the joint planning unit,

**WHEREAS**, the City Commission wishes to approve the text amendment recommended for approval by the Louisville Metro Planning Commission on July 17<sup>th</sup>, 2023, Case 23-LDC-001, with certain the following amendments,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIDDLETOWN, KENTUCKY THAT A CERTAIN TEXT AMENDMENT RELATING TO SHORT TERM RENTALS (23-LDC-001), AS AMENDED BELOW, IS HEREBY ADOPTED AND SHALL READ AS FOLLOWS:**

**SECTION 1:**

The City of Middletown does hereby approve the Land Development Code text amendment relating to short term rentals recommended for approval by the Louisville Metro Planning Commission on July 17<sup>th</sup>, 2023, Case 23-LDC-001, with the amendment that no short-term rentals, either with, or without a Conditional Use Permit, shall be allowed within any R-R, R-E, R-1, R-2, R-3, R-4, and R-5 zoning district; except for 30 days per residence, per each calendar year, provided that the property owner shall annually register their 30 day short term usage with the City of Middletown, obtain a City of Middletown business license, and fully comply with all provisions of the Land Development Code and Louisville Metro ordinances.

## **SECTION 2:**

As a further amendment to Land Development Code text amendment relating to short term rentals recommended for approval by the Louisville Metro Planning Commission on July 17<sup>th</sup>, 2023, Case 23-LDC-001, the following additional language shall be added to Land Development Code Chapter 4 Part 3, Permitted Uses with Special Standards:

- A. There shall be a sufficient amount of parking available for the hosts and guests. The amount and location of parking shall be based on the land uses and density of the immediate vicinity and the number of people allowed to occupy the short-term rental under this ordinance. In the event that a complaint is filed concerning the lack of adequate parking, the City of Middletown may require that the host submit a parking study to the City of Middletown. If the parking study concludes that there is inadequate parking available to the hosts and guests, the host shall either a) increase the amount of parking to be sufficient or b) discontinue the short-term rental use.
  
- B. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the City of Middletown may determine that the short-term rental use be discontinued. When the City of Middletown decides that the short-term rental use shall be discontinued under this section, the owner and host shall be notified of the action and shall have thirty (30) days in which to request an appeal before the Board of Zoning Adjustment. If no appeal is requested, the action of the city shall become final on the thirty-first (31) day after the initial action by the City. Civil complaints include, but are not limited to, reported violations of the building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal complaints include, but are not limited to, reported drug activity, theft, and criminal mischief.

## **SECTION 3:**

- (1) In addition to any other penalties for non-compliance herein, any person who is in violation of the provisions of this ordinance shall also be fined in accordance with the following schedule:
  - (a) For a first offence, a fine not exceeding \$100.00, for each day of violation, up to a maximum fine of \$1,000.00.
  - (b) For a second similar offence which occurs within the preceding twelve months, a fine not exceeding \$150.00, for each day of violation, up to a maximum fine of \$2,000.00.
  - (c) For a third similar offence which occurs within the preceding twelve months, a fine not exceeding \$200.00, for each day of violation, up to a maximum fine of \$3,000.00.

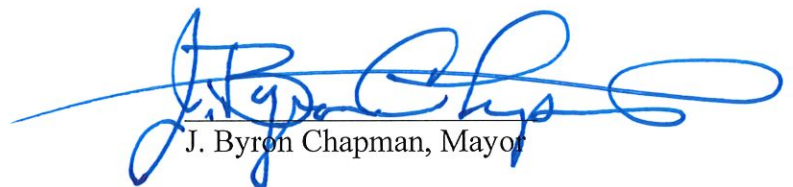
**SECTION 4:**

The prior City of Middletown Ordinance relating to short term rentals, Ordinance #06-14-18-D be and hereby is repealed in its entirety.

**SECTION 5:**

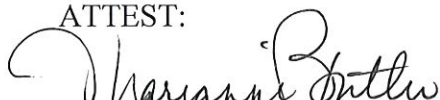
This ordinance shall take effect upon enactment and publication according to law.

First Reading:	November 9, 2023
Second Reading:	December 14, 2023
Passed and Approved:	December 14, 2023



J. Byron Chapman, Mayor

ATTEST:



Marianne Butler, City Clerk

Oliver	_____ <u>yes</u> _____
Hayden	_____ <u>yes</u> _____
Stigers	_____ <u>yes</u> _____
Wolf	_____ <u>yes</u> _____
Chapman	_____ <u>yes</u> _____