

ORDINANCE NO. 2026-____
AN ORDINANCE OF THE TOWN OF TRIANA, ALABAMA, TO LEVY A LODGINGS TAX, REGULATE SHORT-TERM RENTALS, AND ESTABLISH A LICENSE REQUIREMENT AND FEE SCHEDULE

WHEREAS, Several real properties within the Town of Triana are listed as short-term rentals, including accommodations advertised through Airbnb, VRBO, Hipcamp, and similar platforms; and

WHEREAS, The Town Council seeks to protect the health, safety, and welfare of residents, visitors, and short-term occupants; and

WHEREAS, The Town is authorized under Alabama law to levy a lodgings tax and regulate businesses operating within its corporate limits;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TRIANA, ALABAMA, AS FOLLOWS:

SECTION 1. AUTHORITY.

This ordinance is adopted pursuant to Code of Alabama §§11-51-90, 11-51-200 et seq., applicable lodging tax laws, and the Town's police powers.

SECTION 2. DEFINITIONS.

- *Short-Term Rental (STR)* means the rental for consideration of a dwelling unit, lodging unit, campsite, yurt, tent, cabin, tiny home, recreational lodging structure, or portion thereof for less than 180 consecutive days.
- *Operator* means any owner, lessor, manager, or person operating a short-term rental.
- *Transient* means a person occupying accommodations for less than 180 continuous days.
- *Validated Public Safety Complaint* means a complaint documented by law enforcement, fire personnel, code enforcement personnel, or another authorized Town official.

SECTION 3. LEVY OF LODGINGS TAX.

A municipal lodgings tax of nine percent (9%) is hereby imposed upon accommodations furnished to transients. Collection and administration shall follow Alabama law.

SECTION 4. EXEMPTIONS.

The exemptions applicable to the Alabama Lodgings Tax shall apply to the tax imposed by this ordinance.

SECTION 5. LICENSE REQUIRED.

No person shall operate a short-term rental within the Town without first obtaining a Short-Term Rental License. A separate license is required for each rental unit, campsite, cabin, yurt, tent site, or other accommodation.

SECTION 6. APPLICATION REQUIREMENTS.

Applications shall include:

- Property owner name, address, telephone number, and email address.
- Physical address of the property.
- Current zoning classification.
- Number of bedrooms, if applicable.
- Number of off-street parking spaces, including garage spaces.

- Local point of contact available 24 hours per day during occupancy periods.
- HOA mailing address, if applicable.
- Other information reasonably required by the Town Clerk.

Applicants shall report material changes within 30 days.

Each short-term rental property shall maintain at least one off-street parking space per bedroom. Garage spaces may be counted.

NOTICE REQUIREMENTS:

The applicant shall provide notice by certified mail to all immediately adjoining property owners and submit proof of mailing. If an HOA exists, notice shall also be sent by certified mail to the HOA. Notice does not grant any person or HOA authority to approve, deny, or veto a license.

SECTION 7. LICENSE FEE.

The annual license fee shall be \$112, including the issuance fee. Licenses are renewed annually and are non-transferable.

SECTION 8. SAFETY, HABITABILITY, AND LIFE SAFETY STANDARDS.

All licensed STRs shall comply with applicable safety, fire, housing, and property maintenance requirements.

Residential accommodations shall maintain:

- Smoke detectors in bedrooms and sleeping areas.
- At least one operable fire extinguisher on each floor.
- Safe means of egress.
- Properly maintained electrical, plumbing, mechanical, and HVAC systems where installed.
- Compliance with applicable fire and building codes.

Occupancy shall not exceed two persons per bedroom. Children under six years of age shall not count toward the occupancy limit.

Alternative lodging accommodations such as campsites, yurts, glamping tents, tiny cabins, and similar structures are not required to meet residential HVAC, plumbing, or electrical requirements that do not apply to their design, provided they maintain fire extinguishers, safe egress, safe conditions, and compliance with applicable fire safety requirements.

SECTION 9. INSPECTIONS.

Each STR shall undergo an annual inspection by the Triana Fire Department and Building Inspector as a condition of issuance or renewal. Failure to permit inspection may result in denial, suspension, or revocation.

SECTION 10. SUSPENSION AND REVOCATION.

The Town Council may suspend or revoke a license for violations of this ordinance or conduct threatening public health, safety, or welfare.

A license may be subject to suspension or revocation if three or more validated public safety complaints occur within any twelve-month period.

Prior to suspension or revocation, the Council shall conduct a public hearing with at least fourteen days written notice.

Following the hearing, the Council may dismiss the matter, issue a warning, suspend the license, or revoke the license.

A revoked property shall be ineligible for relicensing for one year unless otherwise authorized by the Town Council.

SECTION 11. ADMINISTRATION; ENFORCEMENT; PENALTIES.

The Town Clerk shall maintain a public registry of licensed STRs.

The Triana Fire Department and Code Enforcement personnel may conduct inspections and investigations.

The Town-issued STR License Number shall be displayed on all advertisements, listings, and booking platform postings.

Operating without a valid license, failing to display a license number, or violating this ordinance shall result in a civil penalty of \$500 per violation. Each day constitutes a separate violation.

SECTION 12. USE OF PROCEEDS.

All revenues derived from lodging taxes and license fees shall be deposited into the General Fund and may be used for any lawful municipal purpose.

SECTION 13. SEVERABILITY.

If any portion of this ordinance is held invalid, the remaining provisions shall remain in effect.

SECTION 14. EFFECTIVE DATE.

This ordinance shall become effective on the first day of the second month following adoption and publication as required by law.

ADOPTED AND APPROVED this ____ day of _____, 2026.

Mary Caudle, Mayor

ATTEST:

Sharron Humphrey, Town Clerk