

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to address local ordinances concerning the regulation of short-term rentals in the City of*  
3 *Lexington and the City of Virginia Beach.*

4 [H 824]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1.** *§ 1. Notwithstanding any provision of law to the contrary, general or special, any ordinance in effect*  
8 *and any ordinance adopted by the governing body of the City of Lexington ("the City") shall comply*  
9 *with each of the following provisions:*

10 *1. The provisions of this act shall apply to all short-term rentals, whether the City ordinance refers*  
11 *to such rentals as "45 Nights or Less Rentals" or by any other terms.*

12 *2. The provisions of this act and subsections A, B, and C of § 15.2-983 of the Code of Virginia shall*  
13 *be construed to prohibit, limit, or otherwise supersede any existing local authority of the City to*  
14 *regulate the short-term rental of property through its general land use and zoning authority or any*  
15 *other local authority through its charter or through any provision of Title 15.2 of the Code of Virginia.*  
16 *The City shall not have any provision in its ordinance that is inconsistent with, or not expressly*  
17 *authorized by, subsections A, B, and C of § 15.2-983 of the Code of Virginia. However, subject to this*  
18 *act and subsections A, B, and C of § 15.2-983 of the Code of Virginia, the City may regulate short-term*  
19 *rentals through its general land use and zoning authority as authorized in subsection D of 15.2-983 of*  
20 *the Code of Virginia.*

21 *3. The City shall not regulate the short-term rental of real property except for such rentals that are*  
22 *for a period of fewer than 30 consecutive days, in compliance with § 15.2-983 of the Code of Virginia.*

23 *4. The City shall not require a business license for, nor require payment of license taxes by, any*  
24 *person engaged in the rental of real property, in compliance with subdivision C 7 of § 58.1-3703 of the*  
25 *Code of Virginia.*

26 *5. The City may include in its ordinance a provision for a short-term rental registry only in*  
27 *compliance with § 15.2-983 of the Code of Virginia, including exemptions as provided in subdivision B*  
28 *2 of § 15.2-983.*

29 *6. The City shall comply with the provisions of § 15.2-2311 of the Code of Virginia with respect to*  
30 *any determinations made by the zoning administrator or other administrative officials concerning any*  
31 *alleged violations of the City's short-term rental ordinance, including complying with the requirement to*  
32 *provide the recipient with a statement informing him that he may have a right to appeal the notice of a*  
33 *zoning violation or written order within 30 days.*

34 **2.** *That the City of Lexington shall amend and reenact its existing ordinance to come into*  
35 *compliance with this act on or before September 30, 2018.*

36 **3.** *That any short-term rental located in the Sandbridge Special Service District in the City of*  
37 *Virginia Beach shall be a principal use subject to the City's regulations applicable to short-term*  
38 *rentals. Whether a short-term rental located in any other area of the City of Virginia Beach is a*  
39 *permitted use shall be determined by the provisions of the City's zoning ordinance.*

ENROLLED

HB824ER