

COMMITTEE OF THE WHOLE
TUESDAY, APRIL 16, 2025 | 3:30PM
COUNCIL CHAMBERS

MINUTES

COUNCIL PRESIDENT DARRELL B. O'QUINN, COMMITTEE CHAIR

Councilor(s) Present: O'Quinn, Abbott, Alexander, Moore, Tate

1) **CALL TO ORDER**

The Meeting was called to order by the Committee Chair, Council President O'Quinn.

2) **APPROVAL OF MINUTES**

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Moore Seconded the Motion.

The February 19, 2025 Committee of the Whole Meeting Minutes were Approved as Recorded.

3) **Council Administrator's Report- Cheryl Kidd, Councilor Administrator**

Action Taken:

Deferred Until the Next Scheduled Committee of the Whole.

4) **Short-Term Rental Ordinance Update**

- **Julie Barnard, Assistant City Attorney, Office of the City Attorney**
- **Kimberly Sperol, Zoning Administrator, Department of Planning, Engineering, and Permits**

A general overview of the Ordinance was presented to the Committee,
This is an amendment to the General City Code.

Purpose – to provide protection for the residential character of neighborhoods, and to reduce nuisance activity that has been the source of complaints associated with short-term rentals.

Bedroom - An enclosed room designed for and outfitted to be used for sleeping and/or lodging of guests. It shall be a minimum of 70 sq. feet with at least 50 sq. ft. per occupant if more than one occupant. The room cannot be used as a passage to other rooms. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

Lodging Tax – the owner would have to collect and remit all applicable taxes and fees as required by state or city law, which would include all lodging taxes, plus the \$3.00/night that applies to all transient lodging in the city.

Language clarification will be added to garbage disposal section of the Ordinance.

Parties – the language relative to commercial events, special events, parties, weddings, receptions, concerts or large gatherings shall be allowed in a short-term rental will be replaced with a short-term rental may only be used for overnight accommodations and shall not be used for weddings, bachelor/bachelorette parties, commercial events, special events, parties, concerts, or any gathering exceeding the maximum occupancy allowed for the short-term rental.

Permanent Structures – mobile homes, RV, travel trailers, tents, vehicles and similar non-permanent structures may not serve as short-term rentals. They must be permanent structures.

Inspections – the property owner must agree to an inspection will be deleted from the Ordinance.

Security Camera - It was suggested that all front, street facing security cameras connected to the Real Time Crime Center.

Noise Ordinance – language relative to renters must comply with the noise ordinance will be reconciled.

Traffic – short-term rentals shall not generate more traffic or different types of traffic than the vehicle traffic than home occupied by a permanent resident.

Local Responsible Party – must live within a ten-mile radius of the subject property.

A Booklet will be developed from the City that will include the regulations, contact information, etc. to be provided to guests.

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Applicant Fees – fees will to the program for the enforcement for the support of the permitting.

Certification – local responsible parties/host will have to go through a certification process.

Permits – permits are non-transferrable.

Suspension/Revocation – will go directly to the Council.

Platforms – all platforms would have to be reported. The business would be removed from their site if the business license is revoked.

Violations – The short-term rental owner, short-term rental manager, or local responsible party in charge of or with authority for a short-term rental in the City of Birmingham, any of whom are hereinafter referred to in this section as “host”, shall have the right to remove, cause to be removed, or eject from such short-term rental, in the manner provided in this section, any guest of the short-term rental or visitor thereto, both hereinafter referred to in this section as “guest,” who, while in the short-term rental or its premises, violates the terms of the short-term rental contract, including, but not limited to, any rules related to parties, number of occupants, noise, or parking, is intoxicated, profane, lewd, brawling, or who shall indulge in any language or conduct or otherwise conducts himself or herself in such fashion as to disturb the peace and comfort of the residents in the vicinity of the short-term rental.

Short-term Rental Cap and Drawing – The City of Birmingham shall cap the number of short-term rental permits (in zoning districts identified in the City’s Zoning Ordinance) to 1% of the total housing units identified by the United States Census Bureau. The number of housing units identified by the United States Census Bureau shall be reviewed every five (5) years.

Action Taken:

Councilor Abbott Motioned to Defer until the next scheduled Committee of the Whole.

Councilor O’Quinn Seconded the Motion.

Item Deferred.

5) **OLD/NEW BUSINESS**

- **Update on Problem Properties**

Council President O’Quinn asked Judge Sparks to give an update on the City’s Code Enforcement System.

Discussion on Code Enforcement

Judge Sparks and Judge Gilliam presented information per the request of the Committee Chair, Council President O’Quinn

A copy of the dockets from January 2025 to present were presented/distributed to the Committee.

Environmental Court takes place every Wednesday.

The cases are broken down per district, and the names of individuals associated with the cases.

A spreadsheet of case updates will be provided to the Committee monthly.

Action Taken:

No Action – Information Only.

6) **ADJOURNMENT**

Councilor O’Quinn Motioned to Adjourn.

Councilor Abbott Seconded the Motion.

Meeting Adjourned.