August 13, 2020

VIA EMAIL
Chairman Michael Browning
Glynn County Board of Commissioners
mbrowning@glynncounty-ga.gov
commissioners@glynncounty-ga.gov

Re: Proposed Short-Term Rental Ordinance of Glynn County

Dear Chairman Browning and Commissioners:

I am writing to follow-up on my July 29, 2020 letter regarding your upcoming discussions and final vote on the Short-Term Rental Ordinance of Glynn County (Proposed STR Ordinance), which includes the requirement of a rental registry. We understand that since our letter, several commissioners have met with members of the Short-Term Rental Advisory Committee, members of Golden Isles Association of Realtors, and others to discuss the Proposed STR Ordinance. We also understand that there has been discussion surrounding the potential engagement of Smart City Policy Group, a consulting firm that assists governments in drafting short-term rental regulations.

As the Commission continues to consider the Proposed STR Ordinance, we trust that the Commission will not require either the inspection or investigation of any residential rental property without probable cause or the registration of any residential property. The Georgia General Assembly made itself clear that the Commission simply does not have the legislative authority to pass an ordinance requiring such things. O.C.G.A. § 36-74-30(b). To do so would be a violation of state law.

We also understand that the Commission plans on voting on the Proposed STR Ordinance at its regularly scheduled August 20, 2020 meeting. Given that the discussions between the commissioners, industry associations, and other parties are expected to result in an amended proposed ordinance, we believe it would be in the public's best interest to postpone the vote to allow for ample public discussion. Should the Commission move forward with the vote, it is imperative that the Commission
allow for public debate and discussion at its meeting, rather than include any vote on a consent agenda.

We trust that you found the legal analysis provided in our July 29 letter helpful. We remain hopeful that Glynn County will act within the legislative authority granted to it and will not pass an invalid and unenforceable ordinance. However, we are fully prepared to litigate this matter if need be.

Yours in Freedom,

Kimberly Hermann

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