

Florida Attorney General Advisory Legal Opinion AGO 2016-12 Oct. 5, 2016.

**Florida Attorney General Opinion: Local Governments Can Regulate Vacation Rentals
but Cannot Prohibit Them**

The Florida Attorney General released an opinion on October 5, 2016 addressing whether a municipality could limit the spacing and concentration of vacation rentals through a proposed ordinance in light of the preemption language regarding vacation rentals in § 509.0323(7), Florida Statutes.

The Florida Attorney General stated that § 509.032(7)(b), Fla. Stat. allows local governments some regulation of vacation rentals, but prevents local governments from prohibiting vacation rentals. Therefore, the Attorney General noted that a municipality may not impose spacing or proportional regulations that would have the effect of preventing eligible housing from being used as a vacation rental.