

## CHAPTER 17

### ZONING ORDINANCE

#### ARTICLE X. IN GENERAL

##### Sec. 17-XX. Short-term rentals.

- (1) A short-term rental shall only be allowed where:
  - a. The dwelling unit is used and managed by the owner as his/her primary residence, which means that he/she resides there for at least one hundred eighty-five days during each year or is a second home where the owner has a local representative or agent who will provide property management services on the owner's behalf. Any short-term rental unit that was operating prior to the enactment of this ordinance shall not be subject to this provision.
  - b. Adult sleeping areas shall be located in bedrooms with a maximum of three adults per bedroom. Children under 16 years of age may be accommodated using cots or sleeper sofas in common areas.
  - c. A short-term rental that is equipped with a swimming pool shall comply with the provisions of the Virginia Department of Health regulations contained in the Code of Virginia; 12 VAC 5-460.
  - d. Any property utilized as a short term rental shall provide adequate off street parking for its guests. A minimum of one parking space per bedroom is required. If such parking cannot be provided on-site, the owner must submit a parking plan indicating how the parking requirement will be met. Such plan shall be reviewed and approved by the zoning administrator. No on-street parking shall be part of the plan;
  - e. A short term rental shall have no more than two (2) rental contracts during any consecutive seven (7) day period;
  - f. A short-term rental shall comply with Article VI of Chapter 7 of the Town Code pertaining to the payment of Lodging Tax.
  - g. To the extent permissible under state law,

interconnected smoke detectors (which may be wireless), a fire extinguisher and, where natural gas or propane is present, carbon monoxide detectors shall be installed in each short term rental;

- h. A short-term rental shall comply with requirements of the Virginia Uniform Statewide Building Code, as determined by the Building Official;
- i. There shall be posted in a conspicuous place within the dwelling a summary provided by the zoning administrator of the Town Code sections pertaining to noise, open fires, fireworks, along with copies of the approved parking plan, solid waste pickup schedule and rules, and emergency telephone numbers;
- j. There shall be no outdoor amplified sound after 10:00 P.M. or before 10:00 A.M.;

(2) The following shall be filed with the zoning administrator with any application for a short-term rental permit:

- a. Contact information for the owner of the short-term rental.
  - 1. Proof of the applicant's ownership of the property that is the subject of the application.
  - 2. If the property is a second home, the owner is to provide the contact information for their local representative or agent who will be responsible for the property in the owner's absence.
- b. A floor plan of the short-term rental which identifies the location and number of bedrooms in the dwelling and the location of the items required in subsection (1) g of this section.
- c. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one million dollars (\$1,000,000.00) underwritten by insurers acceptable to the town;
- d. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator or an agent of the owner or operator, who is available to be contacted and to address conditions

occurring at the short term rental who is capable of responding within thirty (30) minutes.

- e. A permit fee in the amount of [*Insert \$ amount*] (\$XXX.00).
  - (3) Use of a short-term rental shall require a permit issued by the zoning administrator. The owner of the short-term rental shall operate the same under all conditions of the issued permit, and subject to the following:
    - a. The owner of a short-term rental shall certify, in writing, compliance with the provisions of subsection (1) a through i of this section.
    - b. The owner of a short-term rental must obtain a business license from the Town Treasurer prior to operation of the short-term rental. The business license must remain current and active while operating.
    - c. The owner of a short-term rental must maintain a registry showing the names, addresses and telephone numbers of all short-term rental occupants. The owner must allow the zoning administrator and his/her designee to inspect such registry upon reasonable advance notice, to verify that the short-term rental is being operated in accordance with the provisions of this section and all conditions of the permit.
    - d. A short-term rental permit shall be valid for one year from the date of issuance. It is the responsibility of the owner to renew the permit prior to expiration, by submitting an updated application as required in section (2) above.
    - e. The payment of all real property taxes assessed against the short-term rental property must be current prior to the issuance of a short-term rental permit.
    - f. A short-term rental permit requires the owner to agree to abide by all requirements of this zoning ordinance, and all other applicable federal, state and local laws.
    - g. The permit may be revoked by the zoning administrator as set forth below; an applicant, or related owner whose short-term rental has been revoked pursuant to this paragraph, shall not be eligible to receive any new

short-term rental permit for one year:

1. In the event that there are two or more violations recorded by the Town within a one year period;  
or
  2. For failure to comply with the regulations set forth in this section, and any permit conditions; or
  3. For refusal to cooperate with the Town in a complaint investigation, including allowing the zoning administrator or his/her designee to enter the dwelling unit upon reasonable advance notice.
- (4) Failure of an owner required to register a short-term rental with the Town shall result in a penalty in the amount of [*Insert amount here*] (\$XXX.00). Unless and until the owner pays the penalty and registers such property, he/she may not continue to offer such property for short-term rental.
- (5) Upon repeated violations of this section, as it relates to a specific short-term rental property, an owner may be prohibited from registering and offering such property for short-term rental.