

FAQ for Short-Term Rental Registry Ordinance

Q: What does this Ordinance do?

This Ordinance requires owners of most short-term rentals to register their short-term rental annually with the Town and comply with basic health, safety, and welfare requirements.

Q: What is a short-term rental?

Short-term rentals are dwelling units (for example, a house or apartment) or portions of a dwelling unit (for example, a bedroom or den) rented for periods of fewer than 30 consecutive days. Most short-term rentals are rented for periods of days or weeks.

Note: A house with an accessory dwelling unit (ADU) has two dwelling units. A duplex has two dwelling units. A triplex has three dwelling units. A house that has been modified to create four apartments has four dwelling units, etc.

Q: Are there any short-term or other rentals that are not regulated by this Ordinance?

Yes, the following rentals are not regulated by this Ordinance:

- A short-term rental that is rented for a total of 14 or fewer days per calendar year (this limitation is established by state law)
- Renting up to two bedrooms in the *same dwelling unit* that an owner, or tenant who rents long-term, lives in
- Anything rented for a period of more than 30 consecutive days (for example, long-term rentals that have year leases and rentals with shorter term leases that are over 30 days such as renting a house for the winter season or to a traveling nurse for a multi-month period)

What is the goal of the Ordinance?

The goal of the Ordinance is to balance the well-established practice of renting dwelling units for tourism with the needs of ensuring an adequate supply of long-term housing, preserving the character of residential neighborhoods, and otherwise protecting the public health, safety, welfare, and convenience of visitors and residents. The registration of short-term rentals will provide the Selectboard, Planning Commission, and public with valuable information on the prevalence and use of short-term rentals in Montgomery.

Other than registration what are the other requirements owners of short-term rentals are required to do under the Ordinance?

Owners who live more than 25 miles driving distance from any of their short-term rentals have to identify a designated local agent who can respond to inquiries by the Town when the owner is not available and act as an emergency contact for guests.

Owners must also carry insurance; display their registration number and contact information for themselves and any designated local agents; provide guests with fire and other safety information; comply with all applicable building, health, and fire safety laws; provide off-street parking and prohibit guests from parking on neighboring properties and in the road; ensure occupancy limits are not exceeded for the short-term rental; and, if pets are allowed, require guests to provide proof of valid rabies vaccination.

The specific requirements are in Section 5.

What are the fees for registration?

The initial registration fee is \$300 per dwelling unit and annual renewal fee is \$250. If bedrooms in the same dwelling unit are rented separately, only one application, fee, and registration number is required for the dwelling unit.

How is the Ordinance enforced?

The Ordinance is principally enforced through municipal ticketing, the process for which is similar to the process for parking tickets. This is typically how ordinances in Vermont are enforced by municipalities.

What are the penalties for non-compliance?

The penalty amounts are listed in Section 6.7 and range from \$200 to \$800. Municipal tickets will be issued for these amounts. The failure to timely resolve a violation can result in multiple tickets.

Additionally, when public health, safety, or welfare warrants, or if an owner of a short-term rental that is regulated by the Ordinance has violated the Ordinance four times, the registration may be suspended or revoked and the owner prohibited from re-applying for a period of 3 months.

In appropriate circumstances, the enforcement officer can issue a written warning for the first offense in lieu of a ticket.

Will the guests at a short-term rental be responsible for complying with the Ordinance?

The owner of the short-term rental is ultimately responsible for ensuring their guests comply with portions of this Ordinance pertaining to guests by establishing appropriate policies for use of the rentals.

Do I need to register my short-term rental and otherwise comply with Ordinance if I have a conditional use permit for the dwelling unit?

Yes, you will need to register your short-term rental and comply with the Ordinance. Zoning regulations and permits regulate where particular uses are appropriate to locate in a municipality whereas ordinances establishes health, safety, and welfare requirements.