

MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Ordinance Committee
DATE: May 1, 2020
SUBJECT: Short Term Rental Ordinance Amendments

Introduction

Following a workshop on September 4, 2019, the Town Council referred a review of Short Term Rental (STR) regulations to the Ordinance Committee on October 16, 2019. The Ordinance Committee has held 8 meetings and recommended the Short Term Rental revisions to the Zoning Ordinance at the April 16, 2020 meeting.

Process

The Ordinance Committee discussed the STR regulations and amendments at the following meetings:

October, 28, 2019
November 7, 2019
December 2, 2019
January 6, 2020
January 15, 2020
February 26, 2020
March 11, 2020
April 16, 2020

Meeting materials, including meeting minutes summarizing public comment and committee deliberation, are posted on the town website. A substantial volume of public comment was received at each meeting. A copy of all written comments received by the committee is attached.

The committee also benefitted from input from town staff including Code Enforcement Officer Ben McDougal, Police Chief Paul Fenton, and Town Attorney John Wall. The basic STR structure proposed in the draft amendments was developed at meetings when members of the Town Council joined the Ordinance Committee discussion.

Revision highlights

Below is a summary of significant elements in the revision package.

1. Primary residence. In response to concerns from neighborhoods about the change in community character and a desire to preserve housing stock, the proposed revisions prioritize primary residence to operate a short term rental (STR). Primary residence is determined by the ability to qualify for a homestead exemption. This change is one of several that should also enhance tracking/enforcement.
2. Special local circumstances provisions. In recognition of historic seasonal rental activity, the provisions preserve an existing regulation that allows STR rental *adjacent* to a primary residence. A second provision allows non-primary residence STRs on lots of 7 acres or more in size.
3. Enforcement Tracking. Many provisions have been adjusted to facilitate enforcement. The minimum 7 day stay description has been bulked up. Only 1 STR per property is allowed and one type of STR must be declared for the year. Permits will run for 1 calendar year and advertising inconsistent with the permit is a violation.
3. Penalties. The existing penalty structure has been preserved, however the time that a permit will be suspended for the second and subsequent violations has been increased. The permit fee doubles for late permit applications.

Outstanding issues for further discussion

1. Conditional Use designation. The Ordinance Committee is deferring for Town Council discussion designating some STRs as conditional uses. A conditional use permit would require Zoning Board review. This review was suggested as a method of allowing neighbors to register concerns with "annoyances." Conditional use permits run with the property, so making this an annual permit will require additional revisions.
2. Rental period caps. STR discussion included the concept of capping the total number of days that a property can be offered for rent and ranged from 2 weeks to 180 days. At this time, the Ordinance Committee is recommending a cap of 90 rental days for the non-primary residence STR categories.
3. Third Party Enforcement/Permit fee. The Ordinance Committee is supportive of retaining third party enforcement to support the Code Enforcement Officer. Costs for third party enforcement should be funded

by the STR permit fees. The Town Council should include endorsement of contracting out third party enforcement and increasing permit fees as needed as part of final amendment adoption.

4. Transition. Town Council adoption should include language that formalizes transition from the current standards/permits to the new provisions.

Conclusion

The Ordinance Committee is proud of the exhaustive opportunities for public comment provided during this process. It also supports the general Town Council intent to adopt new regulations with ample time for residents and property owners to adapt in advance of the 2021 STR rental season.

Attachments

Draft STR amendments
STR public comment

DRAFT
Short Term Rental Ordinance Amendments
Town of Cape Elizabeth Zoning Ordinance

SEC. 19-1-3. DEFINITIONS

Accessory Dwelling Unit: A single subordinate dwelling unit accessory to and wholly contained within a principal building or structure and/or attached garage in which a single-family dwelling unit is the principal use.

Bed and Breakfast: A use that must be operated in conjunction with the use of a dwelling as a primary residence and that (1) provides up to nine (9) furnished bedrooms for rent to guests for 1 or more nights and having a total length of stay not to exceed 14 consecutive days, (2) is operated by the family or person residing permanently in the home; and (3) may serve 1 or more meals to guests only. (Effective March 9, 2009)

Boarding Room Homestay: A use that is accessory and incidental to the primary use of a dwelling as a residence and that (1) provides one or two furnished bedrooms for rent to lodgers guests for a minimum of 30 consecutive calendar days 1 or more nights; (2) is operated by the family or person residing permanently in the home who are in residence, including overnight, during the guest rental period; (3) may serve 1 or more meals to lodgers guests only, and (4) provides all parking on-site. A maximum of one boarding room homestay is allowed per multifamily building. (Effective March 9, 2009)

Hotel: A building used primarily for occupancy of individuals who are lodged with or without meals, having ten (10) or more guest rooms, and intended to be rented principally to transients on a short-term basis.

Motel: A building or group of attached or detached buildings containing guest rooms or dwelling units, most of which have separate outside entrances and adjacent parking spaces and are intended to be rented principally to transients on a short-term basis.

Primary residence: An owner's primary place of residence, which shall be documented by demonstration that the owner qualifies for a homestead exemption under Maine Homestead Property Tax Exemption statute, 36 M.R.S. §§ 681-689, as may be amended from time to time, for the property.

Short Term Rental: The use of a dwelling offered for rent for transient occupancy by tenants for a tenancy of less than 30 days, excluding motels, hotels and bed and breakfasts. (Effective December 14, 2012)
The advertising, offering for rent or otherwise making available for transient occupancy a dwelling, or portion of a dwelling for a tenancy of less than 30 consecutive calendar days, excluding motels, hotels, and bed and breakfasts.

1 **Short Term Rental Guest:** A visitor of a Short Term Rental tenant who will not
2 be sleeping overnight on the property, provided persons on the property after
3 11:00 PM local time shall be deemed tenants and not Short term Rental Guests for
4 the purposes of this Ordinance. (Effective December 14, 2012)

5
6 **Short Term Rental Hosted:** A short term rental of a private room or rooms but
7 not the entire dwelling where the owner of the property is in residence,
8 including overnight, during the tenancy of the short term rental tenant(s).

9
10 **Short Term Rental Unhosted:** A short term rental of a dwelling where the owner
11 of the property is not in residence during the tenancy of the short term rental
12 tenant(s).

13
14 **Special event facility:** A building or portion of a building, outdoor areas, and
15 related parking which is made available for consideration individuals or groups
16 to accommodate private functions including but not limited to banquets,
17 weddings, anniversaries and other similar events. Such use may include (1)
18 kitchen facilities for the preparation or catering of food, (2) the sale and/or serving
19 of alcoholic beverages for on-premises consumption, only during scheduled
20 events and not open to the general public and (3) entertainment. A special event
21 facility may be operated in conjunction with other uses. Overnight
22 accommodations may be operated on a site that is also a special event facility, and
23 are subject to all applicable provisions of the Zoning Ordinance. (Effective December
24 4, 2015)

25
26 **Tenant:** An occupant of land or premises who occupies, uses, and enjoys real
27 property for a fixed time, usually through a lease arrangement with the property
28 owner or with the owner's consent. When applied to a Short Term Rental,
29 anyone sleeping overnight shall be presumed to be considered a tenant.
30 (Effective December 14, 2012)

31
32 **[BELOW TO BE REFINED BY THE TOWN COUNCIL]**

33
34 **SEC. 19-6-1. RESIDENCE A DISTRICT (RA)** [same for RB, RC, TC, BA districts]

35
36 **B. Permitted Uses**

37
38 3. The following nonresidential uses:

39
40 g. Short Term Rental, in accordance with Sec. 19-8-14. (Effective
41 December 14, 2012)

42
43 4. The following accessory uses:

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45 d. Homestay Boarding Room

46
47 **C. Conditional Uses**

48
49 3. The following accessory uses:

c. Short Term Rental, in accordance with Sec. 19-8-14

SEC. 19-8-14. SHORT TERM RENTAL STANDARDS

(Effective December 14, 2012)

A. Purpose

Cape Elizabeth residents prize the peace and quiet of their residential neighborhoods. Some property owners have capitalized on the desirability of their neighborhood by renting out their property, especially during the summer months and holidays. Neighborhood residents are concerned that short term rentals take on the character of a business operating in a residential neighborhood. In order to preserve the character of residential neighborhoods, to minimize the negative impacts of unsupervised tourism activities on adjacent residents, to maintain housing availability for long-term residents and to protect the public safety of visitors and residents, the operation of short term rentals must be constrained. The purpose of this section is to balance the desire of property owners to rent their properties to short term tenants and the desire of residents to preserve the peaceful quiet and enjoyment of their residential neighborhoods.

B. Permitted Short Term Rentals Applicability

The following types of short term rentals may be allowed after obtaining all required permits. Short term rental types not listed below are prohibited. Only one type of short term rental may be operated on a property in a calendar year. No more than one (1) short term rental shall be operated on a property. Where operation of a short term rental must include the primary residence of the Short Term Rental owner, the intent is that the owner shall be living at the property and managing the tenants.

1. **Primary residence hosted.** A short term rental may be operated by a property owner in their primary residence when the property owner is in residence, including overnight, during the tenancy of the short term rental tenants with no limit on the number of days.

[OPTION: One member of the Ordinance Committee would like to consider allowing only 30 days and then require a conditional use permit for more than 30 days]

2. **Primary residence unhosted.** A short term rental may be operated by a property owner in their primary residence when the property owner is not in residence during the tenancy of the short term rental tenants. The property may be used as a short term rental for no more than 182 days per calendar year.

3. **Seven (7) acres plus short term rental.** A short term rental may be operated by a non-primary residence property owner on their property either in residence or not in residence during the tenancy of the short term rental tenants, where the

1 lot is seven (7) acres or more in size. The property may be used as a short term
2 rental for no more than 90 days per calendar year.
3

4 4. **Short Term Rental Adjacent.** One short term rental may be operated by a
5 property owner in a non-primary residence when the short term rental owner's
6 primary residence is located on the same lot as the primary residence or on an
7 abutting lot. (Abutting shall mean any lot that shares a lot line or is located directly
8 across a road right-of-way from the primary residence.) The property owner must
9 be in residence during the tenancy of the short term rental tenants. The property
10 may be used as a short term rental for no more than 90 calendar days per calendar
11 year.
12

13 5. **Short Term Rentals not allowed.** No short term rental shall be operated
14 that does not comply with sections 1, 2, 3, and 4 above.
15

16 **C. **Short Term Rental Requirements****
17

18 1. **Permit required.** NoA Short Term Rental shall be advertised, rented or
19 operated without first obtaining a Short Term Rental Permit. is permitted only
20 after the issuance of a Short Term Rental permit. Notwithstanding the preceding
21 sentence, a permit is not required for a Short Term Rental which, with any prior
22 Short Term Rental of the property, does not exceed in the aggregate fourteen (14)
23 days in any calendar year. Failure to obtain or renew a permit prior to offering,
24 advertising or renting the short term rental, or after the permit deadline, shall
25 require payment of double the short term rental permit fee. The second failure to
26 obtain or renew a permit (within a 5 year period) shall be prohibited from
27 obtaining a permit for one (1) year. A permit application received more than 30
28 days after the permit deadline shall be considered late. A short term rental permit
29 shall be valid for the calendar year in which the permit is issued. The property
30 must remain in compliance with the short term rental permit for the calendar year
31 in which the permit is issued.
32

33 [Need to establish a permit application deadline, such as December 1st]
34

35 2. **Advertising.** It shall be unlawful to advertise occupancy or use of a short
36 term rental that would violate Sec. 19-8-14 of the Zoning Ordinance. For the
37 purposes of this section, the term "advertise" shall mean any form of
38 communication for marketing that is used to encourage, persuade or manipulate
39 viewers, readers or listeners into contracting for goods and/or services as may be
40 viewed through various media included, but not limited to newspapers,
41 magazines, flyers, handbills, television commercials, radio, signage, direct mail,
42 websites or text messages. No short term rental shall be advertised that does not
43 have a current short term rental permit. The short term rental advertising must be
44 consistent with the terms of the short term rental permit and must include the
45 current short term rental permit number. Advertising of the short term rental must
46 state that the short term must be rented for a minimum period of seven
47 consecutive (7) days.
48

1 3. Minimum stay length. No more than one (1) rental/use of the short term
2 rental shall occur in a seven (7) day period. When a ach rental or non-compensated
3 use of the property by any one individual or group, including but not limited to
4 personal or family use by the property owner, of less than seven (7) days occurs,
5 the property shall remain vacant for the remaining portion of the seven (7) day
6 period. shall be deemed for a period of not less than seven (7) days regardless if
7 the actual number of days the property is occupied is less than seven (7) days.
8 Further, not more than one Short Term Rental agreement shall be entered for any
9 given property for any consecutive seven-day period.

10 4. Registration record. The short term rental owner must (a) maintain
11 accurate, up-to-date records of all rental transactions involving the short term
12 rental, including the number of tenants and the length of their stays, and
13 upcoming reservations; and (b) present said information to Town inspection
14 officials upon request. Failure of the short term rental owner to provide this
15 information within 5 business days of a Town request for the same shall be
16 considered a violation of this section.

17 5. Multi-family and multiplex units. No short term rental may be operated
18 on a lot containing a multifamily dwelling unit unless all of the dwelling units
19 are held in common ownership. No short term rental shall be operated on a
20 property containing five (5) or more dwelling units.

21 **DC. Review Procedure**

- 22
- 23 1. The Code Enforcement Officer shall have the authority to issue a
- 24 Short Term Rental permit.
- 25
- 26 2. The Code Enforcement Officer shall provide a Short Term Rental
- 27 application to be completed by the applicant and submitted to the
- 28 Code Enforcement Officer accompanied by the Short Term Rental
- 29 permit fee as established by the Town Council in the Town Fee
- 30 Schedule. The form shall include a non-exclusive checklist of code
- 31 requirements that the property owner shall demonstrate compliance
- 32 with.
- 33
- 34 3. The Code Enforcement Officer shall determine if the form has been
- 35 properly completed before any permit is issued.
- 36
- 37 4. The first time that a Short Term Rental permit is submitted for a
- 38 property, no permit shall be issued until the Code Enforcement
- 39 Officer has inspected the proposed Short Term Rental property for
- 40 compliance with the Short Term Rental Standards and compliance
- 41 with building code requirements. Thereafter, renewal of a Short
- 42 Term Rental permit shall require inspection by the Code
- 43 Enforcement Officer of the Short Term Rental property no less than
- 44 once every five years. When the Code Enforcement Officer does not
- 45 conduct an annual inspection, the Short Term Rental owner shall

1 certify that there have been no material changes since the last
2 inspection by the Code Enforcement Officer. Any third party
3 inspection information submitted with the completed form shall
4 have been conducted within the twelve months prior to the permit
5 being issued.
6

- 7 5. The Code Enforcement Officer shall review the permit application
8 for compliance with the Short Term Rental Standards.
9
- 10 6. If the Code Enforcement Officer determines that the proposed Short
11 Term Rental application complies with the Short Term Rental
12 Standards, a Short Term Rental permit shall be issued. A permit
13 shall be valid for one (1) year from date of issuance. The permit may
14 be subject to suspension by the Code Enforcement Officer if the Short
15 Term Rental property becomes non-compliant with the Short Term
16 Rental Standards, and may be revoked as provided in 19-8-14.(GF).
17

18 **ED. Submission Requirements**

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20 The Short Term Rental permit application shall include the following information:
21

- 22 1. Location. The street address and map/lot number of the Short Term
23 Rental property. If the property is not located on a public road, the
24 form shall include directions to the property from a public road.
25
- 26 2. Contact Person/Owner Responsibility. The name of the owner of
27 the Short Term Rental property and contact information, including
28 address and telephone number. In addition, if someone other than
29 the owner is acting as the local contact person, contact information
30 for that person shall also be provided. If there will be different
31 contact persons for different time periods during the year, the form
32 shall include the applicable contact person for each time period.
33 Regardless of who enters the Short Term Rental agreement, or who
34 may be designated as the owner's contact person, the property
35 owner shall be responsible for compliance with the Short Term
36 Rental Ordinance provisions.
37
- 38 3. Availability. The registration form shall include when, during the
39 calendar year, the Short Term Rental will be available for rental. If
40 this changes, the owner shall notify the Code Enforcement Officer.
41
- 42 4. All information needed to demonstrate compliance with the
43 standards listed in Subsection FE below.
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45 **FE. Standards**

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47 The Code Enforcement Officer shall issue a Short Term Rental permit upon the
48 applicant satisfying the above requirements if the following standards are met:
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1. Code compliance. An applicant's property, without limitation, comply with the following building safety requirements code sections of the (International Residential Code, ("IRC") and the International Building Code, ("IBC")):
 - a. IRC Section R 314, Smoke Alarms: A smoke alarm is required in each bedroom. A smoke alarm is also required outside of each bedroom and in the immediate vicinity. A smoke alarm is also required to be on each story of the dwelling, including basements and habitable attics. The alarms shall be interconnected as much as reasonably possible. (Reference IRC Section R314);
 - b. IRC Section R 315, Carbon Monoxide Alarms: If a house has an attached garage or a fuel fired appliance, a carbon monoxide alarm shall be installed outside each bedroom and in the immediate vicinity. (Reference IRC Section R315);
 - c. IBC Section 906, Portable Fire Extinguishers: At least one portable fire extinguisher shall be mounted in a prominent location. One size/type 2 / A is required or two size/type 1 / A extinguishers. The building shall be considered to be an R-1 Occupancy (Boarding House) for the purpose of determining the type and location of portable fire extinguishers;
 - d. IBC Section 1006.2, 1006.3 and 1006.4, Means of Egress Illumination, Emergency Lighting: At least one hardwired emergency light with battery backup is required per 1200 square feet of living space. The lights must be positioned to illuminate the path of egress to the maximum extent. There also must be exterior lighting that is permitted to be solar powered. Exception: The house lighting has a backup power source that automatically activates.

The applicant shall provide floor plans of the dwelling unit that shows the location of the alarms, fire extinguisher(s) and emergency lighting.
2. Building evacuation plan. A building evacuation plan shall be prominently posted in the Short Term Rental property during the rental period.
3. Sanitary waste disposal. The applicant shall submit information demonstrating that adequate sanitary waste disposal is available in compliance with the Town of Cape Elizabeth Subsurface Wastewater Disposal Ordinance, as determined by the Code Enforcement Officer, or that the property is served by public sewer.

1 ~~The information shall include the total number of bedrooms~~
2 ~~included in the property, any additional sleeping space, and the~~
3 ~~total number of tenants that the property accommodates. The total~~
4 ~~number of tenants used to determine adequacy of sanitary waste~~
5 ~~disposal shall not be less than the total number of tenants that the~~
6 ~~property is advertised to accommodate. For the purpose of~~
7 ~~evaluating the adequacy of a subsurface disposal system, every two~~
8 ~~tenants shall be equivalent to one bedroom.~~

9
10 4. Parking. The applicant shall include a depiction of how parking will
11 be provided for tenants and guests on the same lot where the Short
12 Term Rental is located, and/or include a written agreement for off-
13 site parking at a specified location, to comply with the Off-Street
14 Parking Standards, Sec. 19-7-8. Garage parking spaces not allowed
15 for tenant use shall not be used to meet the Short Term Rental
16 parking requirement. No bus shall be parked at the Short Term
17 Rental property during any rental period.

18
19 5. Rental Agreement Addendum. The Short Term Rental permit
20 application shall be submitted with an addendum, to be attached to
21 Short Term Rental agreement between owner and tenant, that shall
22 be provided to all tenants. The Town shall not be responsible for
23 enforcement of the rental agreement of addendum. The rental
24 agreement addendum shall include the following:

- 25
26 a. Primary and secondary cContact person and contact
27 information; A contact person must be available to tenants at
28 all time of rental period (24/7).
29 b. Emergency responder contact information;
30 c. Building evacuation plan;
31 d. Maximum number of tenants and guests;
32 e. Parking arrangements, including a prohibition of tenants and
33 guests parking in a manner that impedes access by emergency
34 vehicles to the property or any other dwelling in the
35 neighborhood;
36 f. Maximum number of tenants and guests allowed at the
37 property;
38 g. Good neighbor guidelines;
39 h. Copy of the Miscellaneous Offenses Ordinance.

40
41 6. Limit on rental intensity. The maximum tenant capacity of a short
42 term rental shall be limited to no more than 2 tenants per bedroom,
43 plus 2 additional tenants for no more than 1 additional sleeping
44 space.

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46 _____ If a Short Term Rental property is operated on a lot of 30,000 sq. ft.
47 or less in size and property owner is not either living on an abutting
48 lot or in a separate dwelling in the same lot, the Short Term Rental
49 permit shall not allow more than two tenants per bedroom, shall not

1 allow use of non-bedroom areas for sleeping, and shall not allow
2 occupancy by more than eight tenants at any time. The number of
3 short term rental guests shall be limited to eight at any time. On site
4 parking shall be limited to four parking spaces.

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6 7. Response requirement. Failure of the owner/contact person to
7 respond to a short term rental tenant or guest inquiry during the
8 short term rental tenancy, including check-in, within 30 minutes
9 shall be considered a violation of Sec. 19-8-14, Short Term Rental
10 Standards.

11
12 **GE. Suspension and Revocation of Permit**

13
14 In addition to the provisions of Sec. 19-3-6, Violations, a permit for a Short Term
15 Rental may be suspended or revoked if the Code Enforcement Officer determines
16 that one or more substantiated complaints regarding Short Term Rentals of a
17 property have been made in a three-year period. The Police Department may
18 provide a report of conditions observed in plain sight to the Code Enforcement
19 Officer, but enforcement of the Zoning Ordinance shall remain with the Code
20 Enforcement Officer.

- 21
22 1. Complaint. Any individual or town official may file and/or initiate
23 a complaint against a Short Term Rental permit holder. If the Police
24 Department or the Code Enforcement Officer receives a complaint,
25 they shall visit the property. The Police Department shall generate a
26 report of the facts its officers have observed upon a visit, and
27 statements made to them regarding the Short Term Rental. The
28 Police Department shall then forward the report to the Code
29 Enforcement Officer.

30
31 When the Code Enforcement Officer receives a report from the Police
32 Department, or the Code Enforcement Officer has responded to a
33 complaint or independently investigated, the Code Enforcement
34 Officer shall inspect the property and shall collect information
35 related to the complaint, including notifying the property owner and
36 requesting information regarding the complaint. Within five days of
37 receiving a Police Report or complaint, the Code Enforcement
38 Officer shall determine if the complaint is substantiated. A
39 complaint is substantiated when the Code Enforcement Officer
40 concludes that one or more violations of the Short Term Rental
41 provisions occurred.

- 42
43 2. First Substantiated Complaint. Once the Code Enforcement Officer
44 has made a finding of a substantiated complaint, the Code
45 Enforcement Officer shall notify the property owner in writing.
46 The notification shall require the property owner to meet with the
47 Code Enforcement Officer within five (5) business days from the
48 date of the written notification, or such other time as is agreed upon
49 by the Code Enforcement Officer, to identify ways in which the

1 violation(s) will be corrected. The owner will agree to take all
2 necessary measures to correct the violation(s), which measures shall
3 be memorialized in a written agreement at the conclusion of the
4 meeting and shall be fully implemented within one (1) week of said
5 meeting unless another date is agreed to by the Code Enforcement
6 Officer. Failure of the property owner to enter into such an
7 agreement at the conclusion of the meeting will be deemed a second
8 violation of the Short Term Rental provisions. In addition, the Code
9 Enforcement Officer may suspend the Short Term Rental permit for
10 a term not to exceed thirty days.

- 11
12 3. Second Substantiated Complaint. Once the Code Enforcement Office
13 has made a finding of two (2) substantiated complaints, the Code
14 Enforcement Officer shall notify the property owner in writing that
15 the Short Term Rental permit shall be suspended for the a period
16 remainder of permit year but not less than six (6) months. of not less
17 than thirty days, nor more than one hundred twenty days.

18
19 The notification shall require the property owner to meet with the
20 Code Enforcement Officer within five (5) business days from the
21 date of the written notification, or such other time as is agreed upon
22 by the Code Enforcement Officer, to identify ways in which the
23 violation(s) will be corrected. The owner will agree to take all
24 necessary measures to correct the violation(s), which measures shall
25 be memorialized in a written agreement at the conclusion of the
26 meeting and shall be fully implemented within one (1) week of said
27 meeting unless another date is agreed to by the Code Enforcement
28 Officer. Failure of the property owner to enter into such an
29 agreement at the conclusion of the meeting will be deemed a
30 violation of the Short Term Rental provisions.

- 31
32 4. Third Substantiated Complaint. Once the Code Enforcement Officer
33 has made a finding of three substantiated complaints, the Code
34 Enforcement Officer shall notify the property owner in writing that
35 the Short Term Rental permit has been revoked for three one
36 calendar years.

- 37
38 5. Appeal. An appeal to the Zoning Board of Appeals as an
39 Administrative Appeal may be taken by any person aggrieved by a
40 determination of the Code Enforcement Officer pursuant to Section
41 19-5-2(A).

- 42
43 76. Effective Date. [to be determined. Should include termination of all
44 existing permits on December 31, 2020.]The Short Term Rental
45 provisions of the ordinance shall be fully effective as to all contracts
46 for short Term Rentals executed on or after 30 days from date of
47 enactment, and shall further apply to all contracts in effect on such
48 date to the extent the application of these provisions would not result
49 in a substantial impairment of such existing contracts.

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