

Chapter 18 BUILDINGS AND BUILDING REGULATIONS

**ARTICLE VI - RENTAL DWELLING REGISTRATION**

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**Sec. 18-251. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Rental Dwelling* means a residential dwelling unit providing transient, semi-permanent, or continuing accommodations for a fee to individual(s) that are not the owner of the property.

*Long-Term Rental* is a residential dwelling unit providing semi-permanent accommodations for a fee to individual(s) that are not the owner of the property for more than 120 days annually.

*Short-Term Rental* is a residential dwelling unit providing transient accommodations for a fee to individual(s) that are not the owner of the property for less than 120 days annually; including but not limited to daily, weekly, monthly, and seasonal stays.

**Sec. 18-152. Registration**

*Registration.* All owners of rental dwellings shall register the rental property with the City on an application in a form provided by the City. Each building must be registered with the City regardless of the number of rental units. At the time a registration application is filed, the registration fee in an amount established from time to time by resolution of the City Council shall be paid in full. No registration shall be issued to any person until all City fees, fines, and taxes are current and all applicable City ordinances are in compliance. Registration renewal may be withheld if property owner fails to address any violation notice received against the property while registered with the City.

- (a) *Registration Period.* Registrations shall be valid for two years from the date of approval. All existing rental dwellings shall be registered no later than six months after the effective date of this article.
- (b) *Registry of new rental units.* The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to permitting occupancy.
- (c) *Change in register information.* The owner of a rental dwelling(s) already registered with the City shall submit updated registration information within 60 days after any change occurs. A new owner of a registered dwelling shall re-register the dwelling within 60 days of assuming ownership.

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- (d) *Registration information.* An application for registration shall be made in accordance with such instructions as may be provided with the registration application which shall include:
- (1) The address of the rental dwelling.
  - (2) The number of rental dwelling units and maximum number of occupants per unit. If the premises provides a mix of long term and short term rental units, the applicant shall provide sufficient information defining how many units, and which units will be utilized for each type of rental dwelling.
  - (3) The name, residence address, business address, business phone number, e-mail address, and personal phone number of the owner. The same information for the property manager shall be provided, if applicable.
  - (4) The address where the owner and the local agent and / or property manager, if applicable, will accept notices or orders from the City.
  - (5) Verification that all property taxes, fines, and fees levied and assessed against the rental dwelling that are due and payable at the time of the filing of the application have been paid. Delinquencies of such may result in the denial of an application for registration under this section.
- (e) *Inaccurate or incomplete register information.* It shall be a violation of this article for an owner to provide inaccurate information for the register of rental dwellings or to fail to provide information required by the application.
- (f) *Designation of local agent.* If the owner of a rental dwelling does not reside within 30 miles of the City, he or she shall designate a responsible local agent who is able to address any issues that may arise.
- (g) *Transfer prohibited.* No registration certificate issued under this article shall be transferred without the written consent of the City's Zoning Administrator.
- (h) *Exemption from registration requirement.* Rental dwellings that are not owner-occupied, but are occupied by a grandparent, parent, child, or current spouse of the owner are exempt from the rental registration requirement outlined in this section. It is the responsibility of the owner asking to be exempted from the registration requirement to provide satisfactory proof to the City of the existence of the familial relationship between owner and resident of the dwelling.
- (i) *Registration violation.* Failure to register a rental dwelling shall constitute a violation of this article.

#### **Sec. 18-253. Record Keeping**

*Record keeping.* The owner or local agent shall obtain and maintain for the purpose of City inspection and copying the name, address, and other contact information for each occupant. The City may inspect the documents and information listed therein for purpose of responding to a complaint or a violation of this article, City ordinance, or other applicable law or regulation. The owner or local agent shall maintain such documents and any other records required under this article for at least two years and update accordingly for each rental to different tenants or occupants. The owner or local agent shall convey such documents to any successor owner or local agent.

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#### **Sec. 18-254. Short-Term Rental Conditions**

*Short-Term Rental Conditions.* Short-Term rentals, unless otherwise prohibited by the City's Code of Ordinances, shall be permitted if they meet the following standards. If a short-term rental does not meet all standards it shall not be permitted. The short-term rental shall:

- (a) During occupancy, post the registration certificate provided by the City in the front window, and shall otherwise not display a sign which is visible from off-site.
- (b) Provide sufficient parking for the occupancy of the unit(s) on the property so that all vehicles, including recreational type vehicles and trailers, are parked on the property. Parking shall meet City zoning standards for parking (location, number, area, ingress / egress, size, etc.). No parking on any street.
- (c) Provide appropriate garbage disposal receptacles and storage area for receptacles. Placement of garbage receptacle(s) shall not be placed roadside for more than 1 day before collection, nor remain roadside for more than 1 day following weekly collection. Trash receptacles and regulations thereof shall meet City zoning standards.
- (d) Not permit the exterior of the dwelling to have anything other than a residential appearance, if said property is in a residential district.
- (e) Not emit noise, odor, vibration, or other such nuisance impacts discernible beyond the property lines of the lot or parcel.
- (f) Not exceed 120 days rented annually.

#### **Sec. 18-255. Violations**

**Any person, firm, corporation, trust, partnership, or other legal entity which violates or refuses to comply with any provision of this Article shall be responsible for a municipal civil infraction and shall be subject to fines, costs, and other relief as provided for in the City of Montague's Code of Ordinances. In addition to Law Enforcement, the City's Zoning Administrator and City Manager may act as the authorized City.**

*Article added and effective March 7, 2018.*