

ORDINANCE REGULATING SHORT-TERM RENTALS IN STONINGTON, CT

1. **PURPOSE.** It is the intent of this Ordinance to accommodate Stonington residents who want the option to rent their residential dwelling on a short-term basis, while establishing appropriate requirements to mitigate challenges that short-term rentals may have on neighborhoods and the community as a whole.
2. **DEFINITIONS.** For the purpose of this Ordinance, the following words and phrases shall have the meaning respectively ascribed to them:
 - A. **Dwelling Unit:** Any single structure, or part thereof, providing complete independent living facilities for one or more persons, with permanent provisions for living, cooking, sleeping, bathing and sanitary facilities.
 - B. **Property Owner (“Owner”):** Each and every record title owner who is a natural person, or that single designated natural person designated by a corporate or trust owner of the subject property.
 - C. **Owner’s Agent:** A person age eighteen (18) or older who has been identified by the Property Owner as a local contact.
 - D. **Short Term Rental (“STR”):** The use of a dwelling unit, in whole or in part, for transient lodging for compensation by Renters, for less than thirty (30) days. This definition does not include rentals approved by the Planning and Zoning Commission as “hotels,” “motels,” “recreational camps” or “bed and breakfast” uses, or those that are legally non-conforming as such.
 - E. **Short-Term Rental Guests (“Renters”):** Persons who rent an STR.
 - F. **Town:** The Town of Stonington.
 - G. **Primary Residence:** A residence which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, state identification card, or voter registration.
 - H. **Permit:** The approval of a registration by the Town in accordance with Section 4 of this Ordinance.
 - I. **CITATION HEARING OFFICER** – A person or persons appointed by the First Selectman as an officer, as defined in and pursuant to Connecticut General Statutes (C.G.S.) § 7-152c, to serve as the Citation Hearing Officer. Such officer shall be other than any individual who issues citations and shall serve for terms of two years, unless removed for cause
3. **STANDARDS.** All STRs located within the Town are required to follow the standards described within this Section 3.
 - A. To register an STR and obtain a Permit as outlined in Section 4 of this Ordinance.

- B. The following information shall be made available at the STR by the Owner, and shall be provided to the Renter in writing:
- i. Information on maximum occupancy, which shall not be more than two (2) persons per bedroom and/or common areas, excluding children under the age of 12.
 - ii. Applicable noise and use restrictions, including the Town's noise & STR ordinance.
 - iii. Information regarding the Town's Yellow Bag Program and solid waste related information, including collection schedule. It must be noted that any trash and recycling will not be stored within public view, except within proper containers for the purpose of collection.
 - iv. Contact information for the Owner(s) or Owner's Agent(s).
 - v. Emergency information, including but not limited to, Stonington Police Department address & phone numbers (emergency and non-emergency); directions to nearest medical facilities, such as hospitals & urgent care centers; evacuation routes; and fire safety information.
 - vi. A statement that Renters will use their best efforts to ensure that their use of the premises will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties. This shall include notification that there is a 24/7 hotline that neighbors and other residents are able to call to report any possible infractions of the STR agreement or this Ordinance.
- C. When requested by a police officer, fire district official, Town official or appointee of the Town, the Owner(s) or Owner's Agent(s) whose name appears on the STR registration must be on the STR premises, or be available over the phone or text, within sixty (60) minutes after receiving a request. Failure to be responsive within this timeframe shall be considered a violation of this Ordinance.
- D. Permits can be transferred with the sale of a property or to another person, provided that the new owner shall notify the Town within six (6) months of the closing of title of their intent to continue the rights to the previously granted Permit.
- E. Except as provided in subsection F, permits can only be given for a Primary Residence of an Owner.
- F. If a person has owned their property since the effective date of this ordinance, then such property owners will be allowed to register and use their property as an STR, even if it is not their Primary Residence.

4. REGISTRATION. Renting, or offering for rent, an STR without complying with the registration requirement outlined within the Section 4 is prohibited.

- A. The Owner of a STR must register annually with the Town through a platform specified by the Town in order to be issued a Permit.
- B. STR registration must include the following information about the STR:
 - a. Name of the Property Owner(s) and address of the STR.
 - b. Proof of Residency, when applicable. Must include at least two of the following motor vehicle registration, driver's license, state identification card, or voter registration. If they are utilizing segment 3D or 3F to register, they must provide proof of home ownership, along with date of purchase.
 - c. Phone number and email address of the Owner or Owner's Agent who has the authority and responsibility to respond to complaints in person, over the phone or text 24/7 within 60 minutes of being contacted.
 - d. Sworn statement from the Owner that the STR will contain operating smoke and carbon monoxide detectors that meet the requirements for said detectors as set forth by the Town's Building and Fire Codes.
 - e. Any website URL STR listing(s) where the property is advertised publicly.
 - f. An Owner's agreement that confirms they will use their best efforts to assure that use of the Premises by Renters will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.
- C. Upon approval of a Permit, the Town will provide an STR registration number for each STR registered. The STR registration number must be included in any listings.
- D. If there is a change in the information required in subsection B of this Section, the Owner must complete a new registration and submit it to the Town within ten (10) days of said change.
- E. The Owner must pay the annual Permit fee in full at the time of application. If an application is denied the fee shall not be reimbursable. The fee shall be established by resolution of the Board of Selectmen to cover the costs associated with this Ordinance.

5. PENALTIES

- A. The remedies herein are cumulative and the Town may proceed under one or more.
- B. Any Owner, Agent, or Renter who causes, permits, facilitates, aids, or abets any violation of any provision of this Ordinance, or who fails to perform any act or duty required by this Ordinance, is subject to a potential range of civil sanction as follows:
 - I. Penalties for violations of Section 3(B) and (C) are as follows:

- First offense, written warning.
 - Second offense within 12-month period, \$250.00 per offense.
 - Third offense within 12-month period, loss of an STR permit for one (1) year. Upon reapproval of any Permit, if there is a new offense, it will result in the permanent loss of the STR Permit for that Owner.
- II. Penalties for violations of Section 3(E) are as follows:
- First offense \$250.00 fine.
 - Second offense within 12-month period, loss of an STR permit for one (1) year. Upon reapproval of any Permit, if there is a new offense, it will result in the permanent loss of the STR Permit for that Owner.
- III. Penalties for not registering or completing fraudulent registrations are as follows:
- First offense, written warning noting the date of recorded violation and giving ten (10) business days to register or contest the alleged violation, along with a \$250.00 fine.
 - If not addressed within that timeframe, a second letter will be sent, allowing for an additional five (5) business days, along with a fine of \$250.00 a day until the registration is made true and accurate.
 - If a third violation is issued, without any appeal to the Hearing Officer in accordance with Section 6 of this Ordinance, that Property cannot be issued an STR Permit for one (1) year, and further use as an STR without a Permit will result in accumulating \$250 a day fines until the unpermitted use has ceased. Fines will be put on hold when violations are contested by an appeal to the Hearing Officer in accordance with Section 6 of this Ordinance, until a final determination has been made.
- C. Anyone wishing to appeal any penalty shall go through the process set forth in Section 6 of this Ordinance.
- D. The Town has the right to refer potential nuisance or safety issues to relevant enforcement agents including the police, fire, zoning, building or health district at any time.

6. CITATION HEARING PROCESS

- A. The Town hereby establishes a hearing procedure pursuant to General Statute Section 7-152c, as may be amended, for the enforcement and/or appeals of any civil fine and penalties issued pursuant to this Ordinance.

7. MISCELLANEOUS PROVISIONS

- A. Each day on which a violation occurs or continues after the time for correction of violation given in any order has elapsed shall be considered a separate violation of this ordinance.
- B. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- C. If any provision of this ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this ordinance that can be given affect without the invalid provisions or applications; and to this end, the provision of this ordinance and the various applications thereof are declared to be severable.

DRAFT