

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 of the subject property and improvements thereon.
 - C. **Owner’s Agent:** A person age 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. 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. **Events:** Occasions such as weddings, graduation parties, or other large gatherings of people would be considered an event. Events can be either indoor or outdoor.
 - G. **Town:** The Town of Stonington.
 - H. **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, voter registration, tax documents, or utility bill.
3. **STANDARDS.** All STR located within the Town of Stonington are required to follow the standards described within Section 3.
 - A. To register a STR as outlined in Section 4 within this Ordinance.
 - B. The following information shall be made available at the STR by the Owner and provided to the Renter in writing:
 - i. Information on maximum occupancy, which shall not be more than two (2) persons per bedroom, 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 the 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 or Owner's Agent.
 - 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; 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.
 - vii. The Owner of the STR must display the phone number of the Owner or Owner's Agent who has authority and responsibility to respond to complaints in person or over the phone any time of the day. The information required under this subsection must be displayed in a conspicuous place, within ten feet of the primary entrance, visible from the outside of the STR. This posting shall also include the Town's STR registration number when allowed.
- C. When requested by a police officer, fire district official, town official or appointee of the town, the owner or Owner's Agent whose name appears on the STR registration must be on the STR premises, or be available over the phone or text, within 30 minutes after receiving a request. Failure to be responsive within this timeframe is a violation of this Ordinance.
- D. Permits cannot be transferred with the sale of a property or to another person. Permits may be transferred to a spouse or domestic partner upon the death of the permit holder, but it cannot transfer upon sale or transfer of the home.
- E. Events are not allowed in any STRs. Any advertisement of the property and all rental contracts must contain language that specifies that large gatherings are not allowed and share the allowed occupancy to make that clear to potential renters.
- F. Permits can only be given for a primary residence. This requirement would go into effect in January 2024, giving people currently operating STRs who do not meet this requirement one year to accommodate to this new rule.

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

- A. The Owner of STR must register annually with the Town on a form or platform specified by the Town.
- 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. Must include at least two of the following motor vehicle registration, driver's license, state identification card, voter registration, tax documents, or a utility bill.
 - 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 30 minutes.
 - d. Sworn statement from the Owner that the STR will contain at all times operating smoke and carbon monoxide detectors.
 - e. Share listing(s) URL.
 - f. An owner's agreement that they will use their best efforts to assure that use of the premises by short-term rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.
- C. The Town will provide a 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 within ten days.
- E. The Owner must pay the annual registration 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.

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 Segment 3 B and C are as follows:
 - First offense, written warning.

- Second offense within 12-month period, \$500.00 per offense.
 - Third offense within 12-month period, loss of STR permit for the year. Upon regaining permit, if there is a new offense it will result in the permanent loss of the STR permit.
- II. Penalties for violations of Segment 3 E are as follows:
- First offense \$500.00 fine.
 - Second offense within 12-month period, loss of STR permit for the year. Upon regaining permit, if there is a new offense it will result in the permanent loss of the STR permit.
- III. Penalties for not registering or completing fraudulent registrations are as follows:
- First offense, written warning noting the date of recorded violation and giving 10 business days to register or contest the alleged violation, along with a \$250 fine.
 - If not addressed within that timeframe, a second letter will be sent, allowing for an additional 5 business days, along with a fine of \$1,000 a day until.
 - If a third violation is issued, without any response to contest the violation, that property cannot be given a STR permit for a year and further use as a STR without the permit will result in accumulating \$1,000 a day fines until use has ceased. Fines will be put on hold when violations are contested, until a proper determination can be made.
- C. Anyone wishing to challenge a penalty, will go through a process determined by the Town Attorney.
- 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.
- E. Notwithstanding any provision in this Ordinance, a STR Owner is not liable for any violation of this Ordinance if the Owner: (1) identified on the STR registry an online lodging operator who will be responsible for complying with all applicable requirements of the Town code; and (2) submitted to the Town a signed agreement with an online lodging operator who will be responsible for complying with all applicable requirements of this Ordinance. The person who signs the agreement will be liable for any violation relating to any violation of this Ordinance.