

1 **..Title**

2 **Short Term Rental Licenses** – For the purpose of amending Chapter 17.44 to include
3 certain standards for the short term rental of a dwelling, and matters generally relating to
4 short term rentals.

5 **..Body**

6
7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Ordinance 40-16**

11
12 **Introduced by: Alderwoman Finlayson, Alderman Paone**
13 **and Alderman Arnett**

14
15
16 **Referred to**
17 **Economic Matters Committee**

18
19 **AN ORDINANCE** concerning

20
21 **Short Term Rental Licenses**

22
23 **FOR** the purpose of amending Chapter 17.44 to include certain standards for the short
24 term rental of a dwelling, and matters generally relating to short term rentals.

25
26 **BY** repealing and re-enacting with amendments the following portions of the Code of
27 the City of Annapolis, 2015 Edition
28 17.44.010

29
30 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
31 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
32 follows:

33
34 **CHAPTER 17.44 – RENTAL UNIT LICENSES**

35
36 **Section 17.44.010 - Required.**

- 37
38 A. No person shall let for occupancy or use any vacant single rental dwelling ~~unit,~~
39 multiple FAMILY dwelling, SHORT TERM RENTAL DWELLING, bed and
40 breakfast home, roominghouse, or bargehouse, without APPLYING FOR AND
41 OBTAINING a current operating license issued by the Department of Planning and
42 Zoning, ~~after the application for the license has been~~ BEFORE ISSUANCE, AN
43 OPERATING LICENSE SHALL BE approved by the Director of Planning and
44 Zoning, with the concurrence of the Fire Chief, and the County Health Officer, ~~for~~
45 ~~the specific named unit, multiple dwelling, bed and breakfast home, roominghouse,~~
46 ~~or bargehouse.~~

1
2 B. ~~Short Term Rentals. The requirements of this chapter shall apply to all owners or~~
3 ~~tenants of rental dwelling units~~ THE RENTAL OF A DWELLING, as defined in
4 Section 17.40.110100 of the Code of the City of Annapolis ~~who enter into~~
5 ~~agreements, written or oral, for their rental for up to six months in any calendar year.~~
6 ~~For short term rentals, the tenant will occupy the entire dwelling unit without the~~
7 ~~necessity of a written sublease. The fee for a short term rental license shall be set by~~
8 ~~resolution of the City Council.~~ WHICH MEETS THE FOLLOWING STANDARDS
9 AND SATISFIES THE FOLLOWING REQUIREMENTS, SHALL CONSTITUTE
10 A SHORT TERM RENTAL:
11

12 (1) ~~The owners of all such rental OF A dwelling units who enter into any such~~
13 ~~rental agreements shall permit the Department of Planning and Zoning to enter~~
14 ~~each such rental dwelling unit for the purpose of making inspections necessary~~
15 ~~to ensure compliance with Chapter 17.40 and this chapter. No short term rental~~
16 ~~operating license shall be issued or continued without an inspection of all rooms~~
17 ~~and a determination of compliance with Chapter 17.40 and this chapter~~ WHICH
18 IS INTENDED TO SERVE AS A SHORT TERM RENTAL DWELLING
19 SHALL APPLY TO THE DEPARTMENT OF PLANNING AND ZONING
20 FOR A SHORT TERM RENTAL LICENSE. AN AGENT OF THE OWNER
21 SHALL NOT BE PERMITTED TO APPLY FOR A SHORT TERM RENTAL
22 LICENSE OR SIGN THE APPLICATION FOR SUCH LICENSE.
23

24 (2) ~~During a short term tenant occupancy, the owner of the short term dwelling unit~~
25 ~~shall: (i) not allow in excess of two individuals per bedroom, excluding small~~
26 ~~children and post a notice on the back of the main entrance door to this effect;~~
27 ~~(ii) keep a reservation log to include the owner(s) and primary guest(s) name(s);~~
28 ~~address(es), and phone number(s); and (iii) install interconnected smoke alarms~~
29 ~~with a detection unit on each level of the dwelling unit in addition to battery-~~
30 ~~operated smoke alarms in each bedroom as required by Chapter 17.40. Short~~
31 ~~term rental licensees have six months from the date of this Ordinance's adoption~~
32 ~~to comply with its provisions. Failure of the owner to comply with this~~
33 ~~Ordinance shall constitute a municipal infraction which shall subject the owner~~
34 ~~to a fine set by the City Council and shall subject the owner to loss of the rental~~
35 ~~license.~~ NO OPERATING LICENSE SHALL BE APPROVED OR ISSUED
36 FOR A SHORT TERM RENTAL OF ANY PRIVATE PROPERTY FOR
37 WHICH THERE IS NO INGRESS FROM OR EGRESS TO A PUBLIC
38 RIGHT OF WAY, UNLESS ALL OWNERS OF THE PRIVATE PROPERTY
39 USED FOR INGRESS AND EGRESS CONSENT IN WRITING TO THE
40 ISSUANCE OF THE OPERATING LICENSE. IF THE PRIVATE
41 PROPERTY IS GOVERNED BY A CONDOMINIUM, HOMEOWNERS,
42 COMMUNITY OR OTHER SUCH ASSOCIATION, THE PRESIDENT OF
43 THE ASSOCIATION MAY GIVE WRITTEN CONSENT BY INDICATING
44 THAT A MAJORITY OF THE MEMBERS OF THE ASSOCIATION HAVE
45 VOTED TO GIVE CONSENT. IF THE PRIVATE PROPERTY IS NOT

1 GOVERNED BY SUCH AN ASSOCIATION, ALL OWNERS OF THE
2 PRIVATE PROPERTY MUST GIVE WRITTEN CONSENT.

- 3
- 4 (3) ~~The provisions of this section shall not apply to owners of short term rentals that~~
5 ~~rent their dwelling units exclusively in connection with annual U.S. Naval~~
6 ~~Academy graduation ceremonies and activities or with activities associated with~~
7 ~~the annual power boat and sailboat shows in the City.~~ BEFORE ISSUING A
8 SHORT TERM RENTAL LICENSE, THE OWNER OF THE DWELLING, OR
9 HIS AUTHORIZED AGENT, SHALL PERMIT THE DEPARTMENT OF
10 PLANNING AND ZONING TO ENTER INTO THE DWELLING FOR THE
11 PURPOSE OF MAKING INSPECTIONS OF ALL ROOMS TO ENSURE
12 COMPLIANCE WITH THE REQUIREMENTS OF CHAPTERS 17.40 AND
13 17.44, AND NO LICENSE SHALL BE ISSUED, RENEWED OR
14 CONTINUED UNTIL THE DEPARTMENT OF PLANNING AND ZONING
15 IS SATISFIED BY INSPECTION THAT THERE IS FULL COMPLIANCE.
16
- 17 (4) AFTER THE INITIAL LICENSING INSPECTION, AND IN ANY
18 CALENDAR YEAR FOR WHICH A SHORT TERM RENTAL LICENSE IS
19 ACTIVE, THE OWNER OF THE SHORT TERM RENTAL DWELLING OR
20 HIS AUTHORIZED AGENT, SHALL PERMIT AN INSPECTOR OF THE
21 DEPARTMENT OF PLANNING AND ZONING TO ENTER INTO THE
22 SHORT TERM RENTAL DWELLING, ANNUALLY, FOR THE PURPOSE
23 OF MAKING INSPECTIONS OF ALL ROOMS TO ENSURE COMPLIANCE
24 WITH THE REQUIREMENTS OF CHAPTERS 17.40 AND 17.44.
25
- 26 (5) ALL DWELLINGS FOR WHICH A SHORT TERM RENTAL LICENSE IS
27 ISSUED SHALL, BEFORE ISSUANCE, BE EQUIPPED ON EACH LEVEL,
28 WITH SMOKE ALARMS POWERED BY A 120 VOLT ELECTRICAL
29 CIRCUIT. ALL SMOKE ALARMS, IN TERMS OF TYPE,
30 INTERCONNECTION, ACTIVATION AND LOCATION, SHALL
31 CONFORM TO THE STANDARDS SET FORTH IN THE INTERNATIONAL
32 PROPERTY MAINTENANCE CODE, 2012 EDITION, SECTION 704.2, AS
33 MAY BE AMENDED FROM TIME TO TIME.
34
- 35 (6) THE OWNER OF A SHORT TERM RENTAL DWELLING SHALL POST
36 HIS RENTAL LICENSE NUMBER ON ALL WRITTEN AND ELECTRONIC
37 PROMOTIONAL MATERIALS.
38
- 39 (7) A SHORT TERM RENTAL MAY BE ESTABLISHED BY EITHER A
40 WRITTEN OR ORAL LEASE.
41
- 42 (8) THE OWNER OF A SHORT TERM RENTAL SHALL NOT ENTER INTO
43 MORE THAN ONE SHORT TERM RENTAL LEASE DURING ANY SIX
44 CONSECUTIVE NIGHTS.
45

1 (9) THE OWNER OF A SHORT TERM RENTAL DWELLING SHALL NOT
2 LEASE THE DWELLING TO THE SAME TENANT OR TENANTS MORE
3 THAN FOUR MONTHS CONSECUTIVELY IN ANY CALENDAR YEAR.
4

5 (10) THE OWNER OF A SHORT TERM RENTAL DWELLING, OR HIS
6 AUTHORIZED AGENT, SHALL RESIDE IN A LOCATION THAT IS NO
7 MORE THAN 50 MILES FROM THE LOCATION OF THE SHORT TERM
8 RENTAL DWELLING.
9

10 (11) IN ANY SHORT TERM RENTAL TENANCY, THERE SHALL BE AT
11 LEAST ONE PERSON OVER THE AGE OF EIGHTEEN IN OCCUPANCY
12 FOR THE FULL TERM.
13

14 (12) THE TENANT OR TENANTS OF A SHORT TERM TENANCY SHALL
15 OCCUPY THE DWELLING TO THE EXCLUSION OF THE OWNER, HIS
16 AUTHORIZED AGENT, AND ALL OTHERS.
17

18 (13) THE NUMBER OF PERSONS WHO OCCUPY A BEDROOM IN A SHORT
19 TERM RENTAL DWELLING SHALL BE IN ACCORDANCE WITH THE
20 INTERNATIONAL PROPERTY MAINTENANCE CODE.
21

22 (14) THE DEPARTMENT OF PLANNING AND ZONING SHALL ATTACH A
23 NOTICE TO THE INTERIOR SIDE OF THE MAIN ENTRANCE DOOR OF
24 A SHORT TERM RENTAL DWELLING INDICATING ALL OF THE
25 STANDARDS SET FORTH IN THIS SECTION.
26

27 (15) THE OWNER OF A SHORT TERM RENTAL DWELLING, OR HIS
28 AUTHORIZED AGENT, SHALL MAINTAIN RECORDS INDICATING THE
29 NAME, ADDRESS AND TELEPHONE NUMBER OF EACH TENANT AND
30 GUEST AND PRODUCE SUCH RECORDS TO THE CITY UPON A
31 REASONABLE REQUEST TO DO SO.
32

33 (16) THE OWNER OF A SHORT TERM RENTAL DWELLING LICENSED ON
34 THE EFFECTIVE DATE OF THIS ORDINANCE SHALL ENSURE THAT
35 THE DWELLING IS IN COMPLIANCE WITH ALL PROVISIONS OF THIS
36 CHAPTER NO LATER THAN SIXTY DAYS AFTER THE EFFECTIVE
37 DATE OF THIS ORDINANCE.
38

39 C. ~~When an operating license is suspended or revoked or an application for renewal is~~
40 ~~denied, it shall be unlawful for any person to let for occupancy or use any dwelling~~
41 ~~unit or bargehouse then vacant or becoming vacant until a license has been reissued~~
42 ~~or revalidated.~~ THE DEPARTMENT OF PLANNING AND ZONING SHALL
43 PERMIT AT ANY ONE TIME NO MORE THAN ONE SHORT TERM RENTAL
44 LICENSE PER BLOCK FACE IN THE CITY.
45

46 D. COMPLAINTS, SUSPENSION AND REVOCATION.

- 1
2 (1) THE PROVISIONS OF 17.44.090 SHALL APPLY TO A SHORT TERM RENTAL
3 LICENSE.
4
5 (2) IF ANY TENANT OR TENANTS ARE IN OCCUPANCY AT THE TIME OF A
6 SUSPENSION OR REVOCATION OF A SHORT TERM RENTAL DWELLING
7 LICENSE, THE DEPARTMENT OF PLANNING AND ZONING SHALL POST A
8 NOTICE ON THE FRONT DOOR OF THE DWELLING INDICATING THAT
9 ALL TENANTS AND GUESTS SHALL VACATE UPON POSTING OF THE
10 NOTICE. THE OWNER OR HIS AUTHORIZED AGENT SHALL PERMIT AN
11 INSPECTOR OF THE DEPARTMENT OF PLANNING AND ZONING TO
12 ENTER INTO THE SHORT TERM RENTAL DWELLING TO VERIFY
13 VACANCY.
14
15 (3) WHEN AN APPLICATION FOR AN ORIGINAL OR RENEWAL OF A SHORT
16 TERM RENTAL DWELLING LICENSE IS DENIED, OR DURING ANY TIME
17 THAT AN EXISTING LICENSE IS SUSPENDED OR REVOKED, IT SHALL BE
18 UNLAWFUL TO LEASE ANY DWELLING AS A SHORT TERM RENTAL.
19
20 (4) ANY OWNER OR AUTHORIZED AGENT OF AN OWNER OF A SHORT
21 TERM RENTAL DWELLING WHO VIOLATES ANY PROVISION OF THIS
22 SECTION, SHALL BE GUILTY OF A MUNICIPAL INFRACTION AND
23 SUBJECT TO A FINE SET BY RESOLUTION OF THE CITY COUNCIL AND,
24 AT THE DISCRETION OF THE DIRECTOR OF THE DEPARTMENT OF
25 PLANNING AND ZONING, SHALL BE SUBJECT TO THE PROVISIONS OF
26 SECTION 17.44.090.
27

28 F. APPLICABILITY.
29

30 THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO OWNERS OF
31 SHORT TERM RENTALS WHO RENT THEIR DWELLINGS EXCLUSIVELY
32 IN CONNECTION WITH ANNUAL U.S. NAVAL ACADEMY GRADUATION
33 CEREMONIES OR THE ANNUAL POWER BOAT AND SAILBOAT SHOWS IN
34 THE CITY.
35
36

37 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**
38 **THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date
39 of its passage.
40
41
42

43 **EXPLANATION**

44 CAPITAL LETTERS indicate matter added to existing law.

45 ~~Strikethrough~~ indicates matter stricken from existing law.

46 Underlining indicates amendments

