



Bi-Town Housing Rental Sub-Committee

**Short-Term & Long-Term Rentals Report
For the Deerfield Valley
Dover & Wilmington, Vermont**

July 2023

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Summary of Bi-Town Housing Rental

Sub-Committee Report

The Bi-Town Housing Rental Committee is a subcommittee of the The Bi-Town Housing Committee which was formed to collect data regarding short-term and long-term rentals in Dover and Wilmington. The data is to provide the Select Board's a good understanding of the effects that short-term rentals may or may not have on the long-term rental housing market in Dover and Wilmington.

Members of the committee were selected by people in many different sectors that are influenced by the short-term and long-term housing market in The Deerfield Valley which include; realtors, short-term rental property owners, long-term rental property owners, lodging owners, and a staff member from each of the towns. We would like to thank Charlie Foster for his many hours of work chairing the committee and to all the committee members that made a commitment to all the meetings over the past eight months. The Committee met seven times via Zoom and in-person at multiple locations in Dover and Wilmington. A thank you to Sue Westa from Windham Regional Commission for serving as a facilitator at two of our meetings.

One of the first meetings we conducted was an exercise of the advantages and disadvantages of both long-term and short-term rentals. Each committee member chose their top three in each category and once added together the pros and cons of short-term rentals had ties in the top three choices. Please note the results on pages 7 & 8.

We invited Tim Dolan, Bi-Town Marketing Director, Wilmington Police Chief, Matthew Murano, and Patrick Banks, Regional State Fire Marshal as guest presenters over the first few meetings. Their presentations are on page 9. Tim presented current and past data on short-term rentals through information from AIRDNA. Chief Murano indicated the main short-term rental issues are: multiple false alarm calls, noise, quality of life, damage to properties, trash, parking, etc. We were most surprised by Patrick Banks' presentation with the already in place State Fire regulations for short-term rentals. Short-term rentals are considered public buildings and must adhere to the regulations; however, we were told the workload in catching up with all the short-term rentals is challenging. The National Fire Protection Association 101 Life Safety Code is the standard used for egress, fire ratings, fire protection systems for the life safety of the occupants. Short-term rentals with more than eight occupants must meet all requirements and rentals with over nine occupants must have a commercial fire alarm system. Housing for over 9-16 occupants from a single family unit to a rental unit requires a change of use occupancy permit.

The committee interviewed three third party registration companies; If the individual towns' chose to implement a registration. The synopsis of these interviews are included in this report on page 14.

We noted on Page 19 why not to require a registration for long-term rentals.

Top recommendations to implement are the following:

Please see the complete list on pages 20 & 21.

Long-term rental recommendations include: Incentivize owner occupied accessory dwelling units, create a local landlord group for education & networking, tenant education, a LTR database, promote the Deerfield Valley Housing website, shared housing, and use of tax bills for inserts to disseminate housing information.

Short-term recommendations are to regulate by a registration and/or by ordinance which would include posted emergency contact numbers, these numbers on file with the town, require fire safety checklist, and bear proofing trash receptacles. The Committee did vote on key recommendations; please see page 22 & 23.

All recommendations and comments were included in this report, but may not necessarily be the opinion of the entire committee and may or may not be feasible suggestions; such as: “water & wastewater reduced fees and allocations fees” as they are separate entities of the towns.

Bi-Town Housing Rental Sub-Committee Charge

Dover & Wilmington

September 2022

Primary goals of the Committee:

The primary goals of the committee are to identify the impacts of Short Term (STR) & Long Term (LTR) rentals on the Dover & Wilmington communities. Then review neighboring communities' strategies to lessen the impact to the Deerfield Valley. This may be through guidelines and regulations regarding these impacts. Following this review; the Committee may propose new ordinances regarding STR & LTR for Dover & Wilmington; in which will be presented to the Bi-Town Housing Committee, to the Bi-Town Economic Development Committee, and then to the Dover & Wilmington Select Boards.

Committee Membership (Max 10-12 participants)

- Dover & Wilmington Economic Development Staff
- Members to be invited from Dover & Wilmington communities
- At least 1-2 members to own STR property in Dover or Wilmington
- At least 1-2 members to own LTR property in Dover or Wilmington
- At least 1-2 members to own Lodging property in Dover or Wilmington
- 1-2 Members to be invited from local emergency services (Police, EMS & Fire)

A Quorum should consist of a majority of members, if there is a vacancy in the membership, a quorum will constitute a majority of the non-vacant seats.

A seat is considered vacant if a member has not attended three (3) consecutive meetings.

Committee Members

Committee Chair

Charlie Foster: Chamber of Commerce & lodging in Wilmington

Committee Vice Chairs

Gretchen Havreluk: Economic Development for Wilmington

Eric Durocher: Economic Development for Dover

Committee Members

Jill Adams: Owner of STR & LTR rentals in valley

Jennifer Hovey: Realtor in Valley

Todd Gareiss: Owner of STR & LTR rentals in valley

Linda Kersten: Owner of STR & LTR rentals in valley

Michael Levesque: Owner of lodging in Dover

John Lebron: Wilmington Planning Commission

Shelley Lockyear: Owner of lodging in Wilmington

James Walker: Director of Chimney Hill

Rich Werner: Owner of property management Company & representing Dover Fire

Advantages & Disadvantages of Long-Term Rentals Defined

Top 3 LTR Pros

- 1. Provides workforce housing**
- 2. Economic Impact**
- 3. Supports Local Community**

Additional LTR Pros:

- Already highly regulated
- High Demand
- Owners renting for seasonal & year round can keep their house (affordability)
- Attracts younger families
- Affordable & senior housing
- Creates sense of community
- Increase home value

Top 3 LTR Cons

- 1. Tenant Abuse**
- 2. Rents are higher than people can afford**
- 3. Not enough LTR**

Additional LTR Cons:

- Regulations limit income for homeowners
- Challenges of getting evictions
- Lack of landlord support
- Quality of LTR's
- Renters have difficulty in Reporting Safety issues due to concerns of being displaced
- Lack of landlord education
- Substance abuse by tenants

Advantages & Disadvantages of Short- Term Rentals Defined

Top 3 STR Pros

- 1. Economic Impact**
- 2. Real Estate sales & property taxes collection**
- 3. *Four Pros tied***

- A. Tourism Money**
- B. State Rules in Place**
- C. Visitor Capacity**
- D. Provides job**

Additional Pros:

- Use of vacant buildings
- Beautification of properties
- Increase value of Homes
- Owner business makes \$
- Alternative to hotel
- Competition

Top 3 STR Cons

- 1. *Three Cons tied***
 - A. Changes character of Residential neighborhood**
 - B. Safety for Renters**
 - C. Difficult to regulate & enforce**
- 2. *Two Cons tied***
 - A. Takes LTR off market**
 - B. Complaints of noise, parking party houses**
- 3. *Three Cons tied***
- 4. *A. Unregulated***
 - B. Removes workforce housing**

Additional cons:

- Takes revenue from lodging establishments
- Majority of owners do not reside in Vermont
- Over regulation

Guest Presentations

Tim Dolan, Director of Marketing for Bi-Town Marketing Committee presented an overview of AirDNA.

AirDNA is a good tool for:

- Monitoring number of listings in each town
- % Occupancy for different time periods
- Viewing booking trends – how far out people are booking & when they are booking for

Data is “scraped” from the internet, meaning AirDNA’s computers are constantly analyzing listings from AirBNB and VRBO and collecting data about what is available which allows them to make inferences about occupancy, revenue, etc based on whether a property is available or unavailable

- This means data is NOT directly pulled from AirBNB and VRBO databases
- AirDNA claims a historical margin of error of 5% based on confirmations with large partners who work with AirDNA to verify data
- In my analyzing, some data just doesn’t “feel” right with what we know about our area and typical bookings – ie higher than expected bookings in April & May
- Ultimately data is still the best we have to go off of, but should be taken with a grain of salt

· Current Statistics:

- Listings
 - § Dover = 468
 - § Wilmington = 297
- Average Daily Rate
 - § Dover = \$575
 - § Wilmington = \$502

· Dover tends to have higher occupancy levels in winter, Wilmington higher in the summer.

Patrick Banks, State Fire Marshal from Division of Fire Safety presented on code requirements for short-term and long-term rental units. His presentation in full is in the appendix of this document.

Division of Fire Safety ensures all Vermont public buildings comply with the VT Fire & Building Safety Code through permitting and inspections. A public building defined by state statute includes short-term and long-term rentals. State Statute indicates contact telephone number for the person responsible for the unit, VT Dept. of Health, and the VT Dept. of Public Safety Division contact numbers must be posted in each unit. The State also has educational material including a self-certification form pertaining to health and safety precautions that must be taken into consideration.

Chief Matthew Murano, Wilmington Police Department presented on short-term rental Issues

STR's are a new front for the Police Department

The majority of issues are:

- Multiple False Alarm calls
- Noise
- Quality of life
- Trash, parking, etc
- Damage to properties

Many times when they respond no one answers the door.

Current tools used to contact property owners are grand list, Chimney Hill list, and the current alarm registration program. The program has many repeat offenders that notices are sent to.

The large issue is not finding the property owner's contact information as the grand list does not have phone numbers, just addresses.

Noise offense

- Identify point of contact, if police go back 2nd time then offense issued
- Repeat offenders, home owners get notified

Noise in the night time, sunset to sunrise \$50 fine- not cost effective as they have to go through the entire process

Chief Murano noted that the Highway Department has issues with cars parked on the road for plowing.

A registry would allow the Police Department to resolve issues before they become problematic.

Committee Research

Current Long-Term Rental Inventory

Dover- 50 Units

This is an estimate as listers cards were not accessible at this time. Estimated by known identified long-term rental housing in Dover.

Wilmington- 113 Units

33 Properties researched through Property Cards. Two of the properties had units omitted on the property card. **105 Bedrooms** were counted with twelve of the property cards not listing the number of bedrooms.

Current Short-Term Rental Inventory

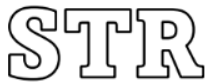
SHORT-TERM RENTAL STATS	DOVER		WILMINGTON	
	June 2023	June 2022	June 2023	June 2022
# OF UNITS	540	526	353	326
Avg Daily Rate	\$426	\$467	\$375	\$363
Occupancy Rate	47%	47%	52%	52%
Median Monthly Revenue	\$4,548	\$4,550	\$4,244	\$4,050

The majority of units in both towns are over 3+ bedrooms. *Above data provided by AIRDNA Marketminder.*

Current Dover Zoning Regulations Related to Short-Term Rentals

- Currently Dover has no regulations related to Short-Term Rentals

Current Wilmington Zoning Regulations Related to Short-Term Rentals



INFORMATION REGARDING SHORT-TERM RENTALS IN ALL DISTRICTS IN WILMINGTON, VT (valid 3.27.23)

Conservation District

➡ For profit lodging with any number of guest rooms is prohibited in the Conservation District. Penalties are enforceable under Wilmington's Zoning Ordinance for up to \$200 for each offense. As required by 24 VSA §4451(a) each day of violation without taking action to correct the violation is a new offense.

Village District

➡ Lodging with less than or equal to two guest bedrooms is allowed without a Zoning Permit in the Village District. This is defined as the rental of bedrooms for overnight accommodation where the operator lives on site.

➡ Lodging of more than two guest rooms in the Village District is a Conditional Use, requiring Development Review Board written decision and approval and a Zoning Permit. This is defined as the rental of bedrooms for overnight accommodations. Meals may be provided to the general public.

Residential and Resort-Residential Districts

➡ Lodging with less than or equal to two guest bedrooms is allowed without a Zoning Permit in the Residential and Resort-Residential Districts. This is defined as the rental of bedrooms for overnight accommodation where the operator lives on site.

➡ Lodging of more than two guest rooms in the Residential and Resort-Residential Districts is not an allowed use unless previous permission has been obtained from the Town of Wilmington. Penalties are enforceable under Wilmington's Zoning Ordinance for up to \$200 for each offense. As required by 24 VSA §4451(a) each day of violation without taking action to correct the violation is a new offense.

Resort-Commercial/Residential and Commercial/Residential Districts

➡ Lodging with less than or equal to two guest bedrooms is allowed without a Zoning Permit in the Resort-Commercial/Residential and Commercial/Residential Districts. This is defined as the rental of bedrooms for overnight accommodation where the operator lives on site.

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Some Other Regulated Considerations

Minimum Number of Parking Spaces

One and one-half parking space for every guest bedroom. Lodging with two guest bedrooms or less does not require additional parking spaces.

Noise

Continuous, permanent, ongoing or frequent noise in excess of that of a normal conversation must not exist at the property boundary line. Recurring periodic or intermittent noises in excess of that of a normal lawn mower at the property line is allowed provided it does not occur between the hours of 9 PM and 7 AM and does not significantly detract from or diminish other property's allowed use or land development.

Signs

Signs may be Allowed/Exempt, Permitted, Conditional, or Not Allowed (see Bylaws, Article VII).

Wastewater Permits

The Zoning Administrator may issue a Zoning Permit conditioned upon receipt of evidence of a Wastewater Permit, see 24 VSA § 4414 (13).

Owners are responsible to comply with all of the Land Use Ordinance (Bylaws), and not only the few items from the Bylaws listed herein. Additional federal, state, or local permits may be required.

Zoning Department

More questions? Email jroberts@wilmingtonvt.us

The above brochure was created by the Wilmington Zoning Administrator from the committee's request of information regarding zoning regulations in Wilmington in the different districts. The readable version is below.

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Created by Wilmington Zoning Administrator April 2023

Short-Term Rental Registration Examples

Research was also completed on additional towns through The United States; please see the attached spreadsheet.

Registration Software Company Research

Throughout the conversations on options of how to best manage or register short term rentals within our towns, the topic of using a third-party organization is something that has been discussed and researched many times over the past couple of years. During our meetings with the Bi-Town Housing Rental sub-committee, it was a topic that was often referenced as a “first step” towards regulations regarding short term rentals through the Valley. Because of this, it was decided that we would research opportunities for registration, possible regulation, and management of rental property information.

To thoroughly understand our best available options for short-term and long-term registration options, we invited three of the foremost companies dealing with this issue in the US today to speak with the sub-committee. The choice of companies was based on thorough review of their offerings, their previous experience, reputations, and actual reviews from municipalities like ours who have taken used their companies..

The main points of consideration when speaking with these organizations were:

- Process
- Cost
- Ease of use
- Town employee time/management
- Options of solutions

The companies were each invited to join us via Zoom and were given a half an hour to give us an overview of their product and its options. We chose to keep these presentations brief to best utilize everyone’s time and still provide information on the offerings as these presentations typically are closer to two hours. Members of the rental sub-committee were invited to attend, and the video was recorded and shared with the members who were unable to make it.

The three companies chosen for review:

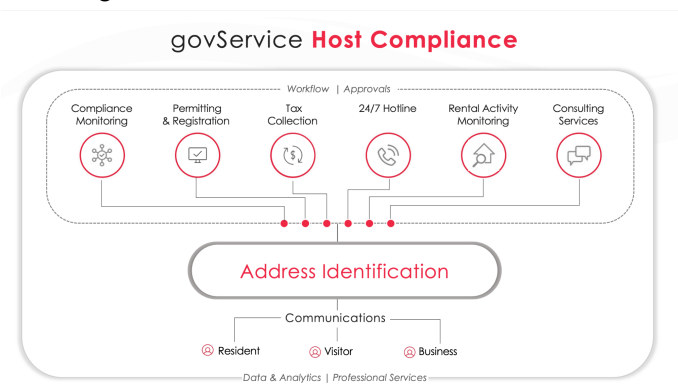
- Granicus
- Accela
- Avenu



<https://granicus.com/solution/govservice/host-compliance/>

From the Granicus website:

“With the increase of short-term vacation rentals, such as those advertised on Airbnb, VRBO, and FlipKey, many communities are struggling to define and enforce regulations that preserve community character, keep communities safe while ensuring revenue collection. Find properties offered for rent, educate hosts on how to become compliant, and gain revenue with Short-Term Rental Compliance Monitoring from Granicus.”



Granicus is a full service company providing all aspects of registration, property identification, activity monitoring, complaints, and ordinance drafting. They have presented to the Bi-Town Housing Committee on two occasions prior to their presentation to the rental sub-committee. They are the only company we spoke to who handles all aspects of the process remotely for the Towns. This has been a key component to our conversations because the hope was to find an organization to handle the process for us to avoid burdening current employees or requiring the hiring of additional employees to take on the workload. They have also been involved with this process with other towns in the State and other resort towns around the country.

Modular pricing tailored to Dover's short-term rental needs

Address Identification	Automated monitoring of 70+ STR websites and online dashboard with complete address information and screenshots of all identifiable short-term rentals.
Compliance Monitoring	Ongoing monitoring of STRs for zoning and permit compliance coupled with systematic outreach to illegal short-term rental operators.
Mobile Permitting	Online forms and back-end systems to streamline the registration process and capture required documentation, signatures and payments electronically.
Tax Collection	Make tax reporting and collection easy for hosts and staff to submit and review online.
24/7 Hotline	Make it easy for neighbors to report, prove, and resolve non-emergency short-term rental related problems in real-time, any day, at any hour.
Rental Activity Monitoring	Estimate occupancy or rental revenue for each property and identify audit candidates who are under-reporting on taxes or exceeding occupancy regulations.

From a cost standpoint, Granicus' list of services can be selected ala carte to determine the cost per property of registration and monitoring. Typically, they recommend charging the cost of a two night stay in the market.



<https://www.accela.com/solutions/short-term-rental/>

From the Accela website:

“Advances in technology have enabled citizens to participate in the sharing economy by opening their homes to travelers. Many communities, however, are struggling with protecting neighborhoods while encouraging this entrepreneurial spirit.

Accela’s Short-Term Rental Registration software helps all parties collaborate, and offers:

- A streamlined licensing and enforcement system for governments and hosts
- An online portal to provide a quick and efficient route to web-based registration, while simplifying and encouraging host compliance
- The ability for neighbors to submit complaints online, helping to reinforce host compliance, preserve community character, and improve city oversight efforts”

Features

Intelligent workflow to optimize record flow from submission to final resolution

GIS-enabled for precise location data, zoning review, and analysis

Online complaint reporting tool

24/7 self-serve citizen portal

Pre-built application assets including record types, workflows, and reports

Electronic document submission for floor plans, financial documents, proof of ownership, safety equipment documentation, or other required documents

Powerful analytics and reporting

Convenient online payment with full tracking and auditing

About Accela

Accela provides market-leading SaaS solutions that empower governments worldwide to build thriving communities, grow businesses and protect citizens. Powered by Microsoft Azure, Accela's open and flexible technology helps agencies accelerate efficiency and transparency today, while ensuring they are prepared for any emerging or complex challenge in the future.

Learn More

Visit www.accela.com or call us at (888) 722-2352

Accela offers a more user-guided system with a software purchase that is managed and controlled by an employee of the Town. They DO NOT offer property identification and their platform would require a Town employee to manage the registrations, data, and compliance.

Record Types

The Accela Short-term Rentals Civic Application includes 10 pre-defined record types for the issuance and renewal of short-term rental business licenses.

System Functionality	Capability
Short-term Rental Complaint	Complaint form to register a complaint against a short-term rental property
Short-term Rental Violation	A record of violations for a short-term rental property
Business License Amendment	Amendment form to submit changes to the business license
Business License	License record for a short-term rental business
Business License Renewal	Application renewal for the license to run a short-term rental business
Short-term Rentals License	License record for a short-term rental property
Business License Application	Application for the license to run a short-term rental business
Short-term Rentals Amendment	Amendment form to submit changes to the license
Short-term Rentals Application	Application for the license to rent out one's home for a specific period of time
Short-term Rentals Renewal	Application renewal for the license to rent out one's home for a specific period of time

They also did not have a firm answer on the expense per property for registration. The platform is hosted online and seemed to be more of a data management tool than a full solution to the issue.

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<https://www.avenuinsights.com/solutions/revenue-enhancement/short-term-rental/>

From the Avenu Website:

“Through a Full-Service approach, Avenu provides identification, monitoring, compliance, and a revenue administration suite of solutions that maximizes compliance and enhances the constituent experience. Our 24/7 hotline and community portal allow trained professionals to respond in real-time to help address complaints and further educate the community on local ordinances and procedures.”

Why Government Leaders Choose Avenu

 MONITORING & IDENTIFICATION Automated monitoring of 100+ STR websites and online dashboard with complete address information and screenshots of all identifiable short-term rentals.	 TAX COLLECTION & REMITTANCE Make tax reporting and collection easy for hosts and staff to submit and review online. Receive, post and reconcile ALL STR filings and fee payments.
 PERMITTING & REGISTRATION Online property owner/manager task portal for new and renewal licensing. Online forms and back-end systems to streamline the registration process and capture required documentation, signatures and payments electronically.	 COMPLIANCE AUDITING Provide examinations by searching for financial or management inaccuracies, inadvertent irregularities, or potential fraudulent reporting practices.
 24/7 HOTLINE Make it easy for neighbors to report, prove, and resolve non-emergency short-term rental related problems in real-time, any day, at any hour.	 REPORTING & DASHBOARDS Powerful one-click reporting tools that enable a jurisdiction to analyze the financial trends and patterns of the local STR market and lodging tax revenue.

Much like Granicus, Avenu (Harmari) offers a more full service line-up of services. They have staff of over 800 people nationwide to handle aspects of compliance, property identification, and complaints. Avenu does not offer as much in the way of ordinance drafting and implementation. Throughout their presentation, it did seem that their platform was best suited for the collection of taxes on the properties. Some of the numbers presented during the conversation did not seem to match the data we had been seeing on AirDNA or from the other presentations.

Short-Term Rental Packages

<p>Short-Term Rental <i>Monitoring & Compliance</i></p> <p>Monitoring & Identification Discover and identify existing and unknown STRs through use of advanced self-service STR identification software that analyzes 80+ sites.</p> <p>Registration & Compliance Assistance to local staff to identify inaccuracies or potential fraudulent reporting practices</p> <p>24x7 Hotline Easy to report, prove, and resolve non-emergency short-term rental related problems in real-time, any day, at any hour.</p> <p>Tax Portal Online property owner/manager task portal for new and renewal licensing</p>	<p>Short-Term Rental <i>Full-Service</i></p> <p>Everything in STR Monitoring & Compliance, PLUS:</p> <p>Advanced Tax Portal Full-Service Custom Portal for Tax Registration & Remittance</p> <p>Permitting Adoption and application of a formal annual permitting requirement</p> <p>Tax Collection & Remittance Receive, post and reconcile ALL STR filings and fee payments</p> <p>Discovery & Recovery Recover funds from newly discovered STRs and bring them into full compliance</p> <p>Community Outreach Directly communicate with noncompliant STR operators about need for compliance and present proof of their rental activity</p> <p>Reporting Powerful one-click reporting tools that enable a jurisdiction to analyze the financial trends and patterns of the local STR market and lodging tax revenue</p> <p>Compliance Auditing – 5% of Properties On-site or remote examinations by searching for financial or management inaccuracies, inadvertent irregularities, or potential fraudulent reporting practices</p>	<p>Optional Services <i>Add-On</i></p> <p>Requires Monitoring & Compliance Package: (On-Demand)</p> <p>Compliance Auditing <i>Percentage of Properties (Included in Full-Service)</i> On-site or remote examinations by searching for financial or management inaccuracies, inadvertent irregularities, or potential fraudulent reporting practices</p> <p>Discovery & Recovery <i>Contingency Fee (Included in Full-Service)</i> Recover funds from newly discovered STRs and bring them into full compliance</p> <p>Ordinance Review & Consulting Annual comprehensive ordinance review and on-demand consulting</p> <p>Homestead/Primary Residence Verification Annual verification of homestead exemptions – qualified and unqualified, claimed and unclaimed – within identified STR community</p>
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Like Accela, Avenu did not have a definitive answer on the estimated cost per property to register and monitor the STR's. It did seem that the cost would be based on the size of the market.

Final thoughts on the registration presentations:

Ultimately, with some discussion after hearing the presentations, it seemed to be apparent that most in the committee who had attended saw the benefits of using Granicus and their full service approach because of their offerings, their price points, and for ease of burden on existing town staff. Anecdotally, it was brought to our attention through our research on other towns in the state who had gone the registration route that they had either already moved away from a self managed service or were considering doing so to minimize the amount of time and energy required by the municipalities. This would lead to a deeper dive being warranted with both Granicus and Accela in terms of our final needs and the costs associated with either platform if the boards decide to implement a registrations system in our towns.

Long-Term Rental Regulation

Long-Term Rental regulations not needed & Why

Don't need more barriers (cost competition with STR's too much)

Doesn't Agree with rent control

Existing regulations too strict

State fire codes & other zoning regulations- too hard to have LTR

Wilmington Design District & other districts limit redevelopment of apartments/buildings

State Regulations and Local Zoning Ordinances

Local Zoning Ordinances

Local Health Ordinances

Local Water Ordinances

Local Wastewater Ordinances

State Division of Fire Safety

State Water and Wastewater Rules

o Need to be enforced

o They are confusing and need to be clear

o Fire and code inspections are being conducted by the State Fire Marshal

o Zoning density changes need to be made to allow for more long-term rentals

Currently Dover has a density bonus allowance for affordable housing and Wilmington for Senior Housing in their prospective zoning ordinances.

Long-Term Rental Recommendations

Incentivize:

- ☐ Tax deferment for Landlords
- ☐ Reduced water & wastewater regulations for Landlords
- ☐ Reduce barriers- sewer allocation fee and reduce requirements
- ☐ Develop Program for owner occupied homeowners to develop accessory dwelling units
- ☐ Develop an incentive program to change current STR's to LTR's.

Create:

- ☐ Dover & Wilmington landlord group or association for education and training for landlords to include:
 - Education about existing Long-Term Rental regulations for landlords & tenants
 - Local book similar to "renting Vermont"
 - Education about vetting tenants
 - safety certification checklist/ inspection
- ☐ Database of LTR in region with No fee to register
- ☐ Tenant Education
- ☐ Dover needs to work on zoning regulations for LTR's
- ☐ Education about future of community development
- ☐ Creative rental solutions to address affordability

Promote:

- ☐ Use of Tax Bill & other utility bills for inserts to disseminate housing information
- ☐ Promote Deerfield Valley Housing website <https://www.deerfieldvalleyhousing.com/>
- ☐ Businesses have created employee housing in past- offer again
- ☐ Renting rooms & common space (Shared Housing)

LTR other Comments:

Act 250 keeps larger developments in place a good check & balance

Short-Term Rental Recommendations

The following is a list of the recommendations approved to be put forward to the Selectboards by the rental sub-committee. This represents pieces of any potential regulations or ordinances to be considered by the towns regarding short term rentals as proposed by the committee.

Recommendation 1: To make recommendations on rules and regulations to the towns regarding short term rentals

Recommendation 2: The towns should consider exploring options of implementing a registration system for short term rentals

Recommendation 3: All short term rentals shall complete the required fire compliance checklist from the State of Vermont Fire Safety Department and file with the town in which the rental resides

Recommendation 4: An emergency contact list shall be posted in the entrance or in a prominent location inside each rental unit with emergency contacts for the property and local emergency services

Recommendation 5: A point of contact for all short term rentals must be on file with the towns for each property being used as a short term rental

Recommendation 6: A point of contact or authorized representative must be able to respond to issues on the rental property within one (1) hour, 24/7 while the rental is in use

Recommendation 7: Bear proof trash and recycling storage is required by any property being used as a short term rental

Committee Voting Results

The following is a list of ALL the items of recommendation voted on by the committee, the vote counts for each item. The items failing to pass the vote are NOT being recommended to the boards. There were 11 committee members present to vote.

1st Vote - Motion made to suggest recommendations on STR

For: Seven (7) Members

Against: Three (3) Members

Abstain: One (1) Member

Recommendation: Yes

2nd Vote - Fire compliance checklist from State of VT Fire to be on file with town offices

For: Eight (8) Members

Against: Three (3) Members

Recommendation: Yes

3rd Vote - Certificate of occupancy filed with required for all rentals by State Fire Marshall

For: Three (3) Members

Against: Eight (8) Members

Recommendation: No

4th Vote - Permission for Zoning Administrators to enter buildings if complaint or application received

For: Two (2) Members

Against: Three (3) Members

Recommendation: No

5th Vote - Emergency contact list be posted inside the entry of all short term rentals

For: Seven (7) Members

Against: Four (4) Members

Recommendation: Yes

6th Vote - Point of contact required for all short term rentals & must be on file with towns

For: Seven (7) Members

Against: Four (4) Members

Recommendation: Yes

7th Vote - Point of contact or authorized representative must be able to respond to issues within One (1) Hour, 24/7

For: Nine (9) Members

Against: Two (2) Members

Recommendation: Yes

8th Vote - Insurance coverage requirements for short term rentals

For: Four (4) Members

Against: Seven (7) Members

Recommendation: No

9th Vote - Bear proof trash and recycling required

For: Eight (8) Members

Against: Three (3) Members

Recommendation: Yes

10th Vote - No parking on street

For: One (1) Members

Against: Ten (10) Members

Recommendation: No

Final Vote on registry recommendations

1st Vote - Registry service to track long term rentals

For: Three (3) Members

Against: Eight (8) Members

Recommendation: No

2nd Vote - Registry service to track short term rentals

For: Six (6) Members

Against: Four (4) Members

Abstain: One (1) Member

Recommendation: Yes

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Town/City:	State:	STR Required to be Owner or Occupants Primary Residence (Y/N)?	Zoning Restrictions Pertaining to Where STRs may Operate (Y/N)?	Permit Requirement to Operate STR (Y/N)?	Permit Period (Months):	Application/Permitting Fees:	Application/Permitting Fees Vary by Unit Type (Y/N)?	Site Plan Review Required to Receive Permit (Y/N)?	Property Inspections Required for Permits to be Issued (Y/N)?	Information Required to be Provided to Renters	Parking Restriction:	Property Management Requirements:	Occupancy Limitations:
2	Nantucket	MA	NO		YES	12	250	NO	NO	To verify compliance with all applicable statutes, bylaws and regulations, operators are subject to inspection of the short-term rental by the Board of Health upon reasonable notice via consent or administrative warrant, or without such notice, in the event of an imminent threat to public health or safety.	(1) Renters. Rental solicitations, including written and online advertising and descriptions of property, shall include the following information: a copy of the operator's certificate of registration, the maximum number of occupants and vehicles allowed, policy(ies) regarding parties, events and weddings, and whether or not the unit is under professional management; and (2) On-site or prior to arrival: (i) contact information for the operator and at least one local designated person; (ii) emergency exit diagrams, which also must be posted at the short-term rental premises in all bedrooms and on all egresses; (iii) instructions for waste disposal and recycling, including but not limited to the requirement that trash be removed from the premises at each turnover or weekly, whichever comes first; (iv) a copy of Nantucket's Noise Bylaw (Chapter 101) and (v) a copy of Nantucket's Outdoor Lighting Bylaw (Chapter 102). Items (iii), (iv) and (v) must be posted centrally in the unit.	Parking. Parking at a short-term rental shall not create public health or public safety issues or create undue traffic congestion. The Board of Health may refer violations of these parking requirements to the appropriate Town enforcing agent(s).		Occupancy of a short-term rental shall be limited to two people per bedroom plus two additional people in the unit.
3	Stowe	VT	N/A	N/A	NO	N/A	N/A	N/A	N/A	The operator must complete and keep on-site a self-certification form prior to renting a unit	Operators must post within the rental unit a phone number for the person responsible for the unit. In addition, the operator must post contact information for the Vermont Department of Taxes, the Department of Health, and the Department of Public Safety's Division of Fire Safety.		Operators must post within the rental unit a phone number for the person responsible for the unit.	Your facility is a public building and is subject to Vermont Fire Safety Requirements
4	Lake Placid	NY	NO	NO	YES	24	\$200-\$1200 (based on unit type)Permitting fees are required unless the STR is rented for 14 days or less	YES	YES	N/A	A hard copy of the short-term rental permit shall be prominently displayed near the front entrance of the short term rental unit.	Tenants and guests shall park in the off-street parking spaces required by Section 11.4. They shall not park on any part of the lawn of the property nor on the public or private street. Required off-street automobile parking spaces for short-term rentals shall be equal to the maximum number of motor vehicles permitted by the following subdivision B with the exception of Main Street from the U.S. Post Office to One Main Street where applicant must demonstrate that they have appropriate off-street parking in place. Parking spaces within a home garage shall not be counted as parking spaces. The maximum number of motor vehicles for a short-term rental unit shall be one (1) vehicle per bedroom but in no event more than six (6) vehicles.	This property manager contact person must be located within a sixty minutes distance by car and must be available 24 hours per day, 7 days a week.	Maximum occupancy of nighttime guests shall be calculated as 2 times the number of bedrooms that are in compliance with the New York State Building Code plus 2 additional occupants. The maximum occupancy for studio apartment shall be 2 occupants for the first 220 sq. ft. with 1 additional occupant for each additional 100 sq. ft. of living space. The maximum number of daytime guests between 7:00 a.m. and 10:00 p.m. shall be limited to no more than twice the nightly occupants.
5	Telluride	CO	YES	YES	YES	12	The cost of a business license for a short-term rental property is \$330 + \$44 per sleeping area including lofts and converted sleeping areas. Lodging establishments pay \$132 per sleeping room.		No	Yes-through San Miguel County \$75-Pursuant to Land Use Code Section 5-3001 B. VI. this fee is upon initiation of an application for a Short-Term Rental Permit. Approved Permits require subsequent renewals at two year intervals and will only require an affidavit signed by the applicant that the unit complies with all safety standards as listed in Section 5-30.	The property owner or an owner's representative is designated as an on-call representative who is available 24/7 while the property is rented; and • The on-call representative's contact information is prominently displayed and clearly represented within the property; and • There is a clearly-defined trash and recycling storage area and an adequate number of bear proof trash and recycling containers for use by the renters, the location of which is clearly communicated to all renters; and • Renters are properly informed about relevant Town of Telluride regulations, including but not limited to, restrictions and requirements for parking, pets, trash and recycling disposal and storage, bears, and noise	Parking limitations subject to parking requirements of applicable neighborhoods		Short-term rentals are for periods of 29 days or less and are also permitted throughout Town. Short-term rentals for each Residential Zone District property, however, may not exceed three short-term rentals annually for a cumulative number of rental days not to exceed 29. For example, a property may be rented once for 15 days, once for 10 days and once for 4 days in a calendar year, three rentals for a cumulative number of 29 days, or may have one short-term rental for 29 days total.
6	Killington	VT			Yes-Killington uses a Short-Term Rental Registration system called MUNIRevs.	12	\$150-\$250(based on the number of bedrooms) A separate STR Registration application with permit fee is required for each STR unit.	YES	NO	An inspection report with occupancy approved from the state Division of Fire Safety is required for STRs with an occupancy of greater than 8 guests. For fewer than 8 guests the operator must have the self-certification form completed.	The "Short Term Rental Safety, Health and Financial Obligations" form found on the Vermont Division of Fire Safety website must be completed and posted within all STR units. See: "Short Term Rental Checklist" under https://firesafety.vermont.gov/buildingcode/codesheets	Parking by STR guests must be off-street. On-street parking is not permitted.	The designated operator (the owner may be the designated operator) must be available by phone at all times that the Short-Term Rental is in use.	Dwelling Unit Capacity for a Short-Term Rental is two occupants per approved bedroom plus 2 additional occupants. For example, a 3-bedroom dwelling can be rented to 8 guests (3 bedrooms X occupants plus 2 additional occupants = 8). The occupancy of condominiums is determined by Act 250 permit and the plus 2 occupants does not apply.
7	Lake George	NY			YES	12	\$50	NO	NO	NO	All owners of short term rental properties shall maintain, at the premise to be rented, the signed residential rental permit, which contains information on emergency contact persons, relevant septic system information, trash disposal information, occupancy limitations.	Parking limitations subject to parking requirements of § 175-33, Off-street parking requirements.		Occupancy limitation is based on the number of bedrooms in the dwelling, and is calculated at two persons per bedroom, plus two additional persons. Each residential rental shall, at a minimum, comply with New York State Property Maintenance Code Section 404.1 pertaining to minimum square footage requirements per person, and shall not exceed occupancy limits enforced by Warren County Building Codes and Fire Prevention. STRs are illegal in the Town's residential-only districts. Those districts where short-term residential rentals are now illegal include all Land Conservation (LC) districts, all Residential Rural (RR) districts, and the Residential Medium-density districts (RM-1 and RM-2). Any rentals longer than 30 days at a time are allowed in these and all other zoning districts without permitting or approvals from the Town. The remaining zoning districts in the Town will allow for short-term residential rentals via an approval and permitting process through the Planning and Zoning Office.

Division of Fire Safety

Division Overview



Division Overview

- Division is under VT Department of Public Safety
- Mission Statement
 - The mission is to protect lives and property with a coordinated effort in code enforcement, fire service training, public education, and hazardous materials response



Division Overview

- Four Regional Offices:
 - Williston
 - Waterbury
 - Rutland
 - Springfield
- Ensures all Vermont Public Buildings comply with the Vermont Fire & Building Safety Code through: Permit Process, Inspections and Complaint Inspections



Public Building

So, What is a Public Building?

- State statute defines what a Public Building is - 20 V.S.A. § 2730
- Quick Rule of Thumb: All buildings are public building, except for owner occupied single-family dwellings, registered home day cares, and working farms.
- Condos are defined as a Public Building under 20 V.S.A § 2730



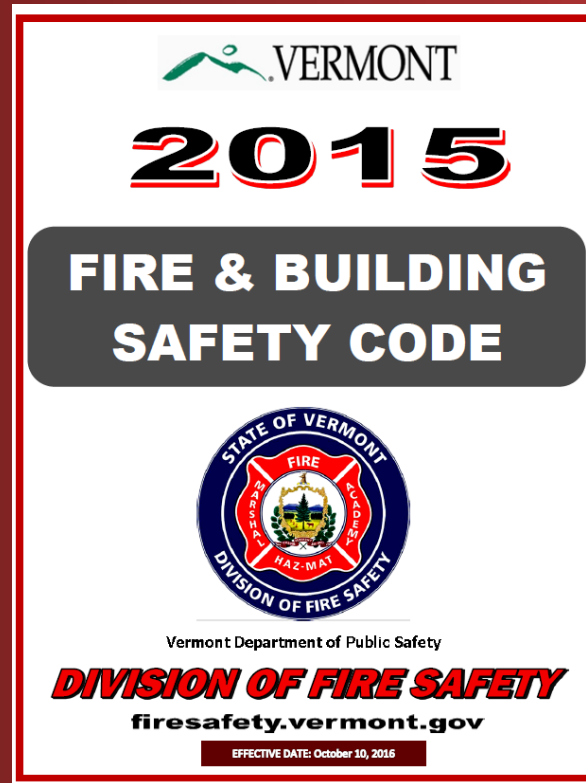
Public Building

- Short term rentals- Are defined as **public building: 20 V.S.A. § 2730**(a) (1) (D) a building in which people rent accommodations, whether overnight or for a longer term



Public Building

- Public Buildings are required to comply with Vermont Fire and Building Safety Code.



18 V.S.A. § 4466

- 2018 Act 10 was passed for Food/Lodging for Short-Term Rentals.
- (c) Nothing in this section shall be construed to supersede the authority and responsibilities of the Division of Fire Safety.



18 V.S.A. § 4466

■ § 4467. Posting contact information

A short-term rental operator shall post within the unit a telephone number for the person responsible for the unit and the contact information for the Department of Health and the Department of Public Safety's Division of Fire Safety.






18 V.S.A. § 4466

- **§ 4468. Educational materials**

- (a) The Department of Health, in collaboration with the Department of Public Safety's Division of Fire Safety, shall prepare a packet of information pertaining to the health, safety, and financial obligations of short-term rental operators, including information regarding the importance of reviewing options for property and liability insurance with the operator's insurance company.
- (b) Included with the information packet set forth in subsection (a) of this section shall be a **self-certification form pertaining to health and safety precautions that short-term rental operators must take into consideration prior to renting a unit.** The form shall be retained by the operator and need not be filed with the Department.



18 V.S.A. § 4466

  	
Short Term Rental Safety, Health and Financial Obligations	
Contact Information Department of Health: 802-863- 7221 Division of Fire Safety: 802 479-7561	Instructions <small>The short term rental operator shall post within the unit a telephone number for the persons responsible for the unit and the contact information for the Vermont Department of Health and the Vermont Division of Fire Safety. This form shall be completed by the short-term rental operator and retained on site. The form need not be filed with the department.</small>
SHORT TERM RENTAL OPERATOR INFORMATION	
Operator(s) Name (Print):	Number of Rooms Rented:
Physical 911 Address of Property:	Type of Heating System:
Mailing Address:	Public or Private Water:
Cell phone number:	E- Mail:
	Tax Account Number:
Division of Fire Safety General Checklist (www.firesafety.vermont.gov)	
<input type="checkbox"/> Smoke and carbon monoxide alarms are provided in accordance with the attached fire safety info sheet.	
<input type="checkbox"/> GFI Outlets are provided in locations identified on the attached fire safety info sheet.	
<input type="checkbox"/> Every sleeping room is provided with a secondary means of escape (see attached fire safety info sheet).	
<input type="checkbox"/> Heating systems (fuel and wood) have been inspected by a certified fuel service technician (see info sheet).	
<input type="checkbox"/> Landings, decks, porches and balconies higher than 30 inches from grade are provided with guards and rails.	
<input type="checkbox"/> Stairs must be provided with graspable handrails (see attached fire safety info sheet).	
Health Department General Checklist (www.healthvermont.gov)	
<input type="checkbox"/> Appliances are operational and in good repair and hot and cold potable water have been supplied.	
<input type="checkbox"/> Guest rooms have been serviced and cleaned before each new guest.	
<input type="checkbox"/> Refuse containers are available and emptied at least once each week or more frequently, if necessary.	
<input type="checkbox"/> Swimming pools, recreational water facilities, and hot tubs are kept sanitary and in good repair.	
<input type="checkbox"/> Sewage system and toilets function and are in good repair.	
<input type="checkbox"/> Toxic cleaning supplies are properly labeled, safely stored and used according to the manufacturer's directions.	
<input type="checkbox"/> Guest rooms are free of any evidence of insects, rodents, and other pests.	
Tax Department General Checklist (www.tax.vermont.gov)	
<input type="checkbox"/> Meals and rooms taxes are filed and paid by a third party. I do not need a Vermont tax account.	
<input type="checkbox"/> Meals and rooms taxes are NOT filed and paid by a third party. I have a Vermont tax account.	
<input type="checkbox"/> The Vermont Meals and Rooms Tax license is displayed in each rental unit.	



18 V.S.A. § 4466

Smoke Alarms

- Photoelectric type smoke alarms are required in the immediate vicinity of sleeping rooms, inside each sleeping room, and on all floor levels including the basement. All newly installed smoke alarms must be hard wired into the buildings electrical system.
- Smoke alarms in sleeping rooms of buildings constructed prior to 1994, may be of the 10-year photoelectric lithium powered tamper resistant type.

Carbon Monoxide Alarms

- Outside each sleeping area in the immediate vicinity of the bedrooms. An additional detector shall be installed in each sleeping room that contains a fuel-burning appliance.
- Carbon Monoxide alarms installed or replaced in a dwelling after July 1, 2005 must be directly wired to the building electrical service and have a battery backup.
- Existing One and Two family dwellings constructed prior to July 1, 2005 may use plug in style alarm with battery backup or battery power or you may hardwire.

Guard and Handrails

- Landings, decks, porches or platforms more than 30 inches of grade must be provided with guards and intermediate rails spaced no more than 4 inches apart.
- Graspable handrails must be provided on all stairs.

Electrical Safety:

Ground Fault Current Interrupters (GFCI) are required in the following areas;

- Bathrooms, garages and accessory buildings having a floor located at or below grade level, not intended as a habitable room and limited to storage. Work areas, outdoors, crawl spaces, unfinished portions or areas of the basement not intended as a habitable room. Kitchen, where the receptacles are installed to serve countertop surfaces and sinks and where the receptacles are installed within 6ft from the top inside edge of the bowl of the sink. Boathouses and bathtubs or shower stalls, where receptacles are installed within 6ft of the outside edge of the bathtub or shower stall and laundry areas.

Secondary Means of Escape from Sleeping Rooms

- Every sleeping room must be provided with a primary and secondary means of escape.
- A window meeting rescue and ventilation requirements can satisfy the secondary means of escape.

Heating System Safety

- Oil, gas, wood, wood pellet and kerosene fuel fired heating systems shall be cleaned and maintained in accordance with manufacturer's installation instructions and shall be inspected at least once during any 2-year period by a certified fuel service technician or Chimney sweep in the case of solid fuels.

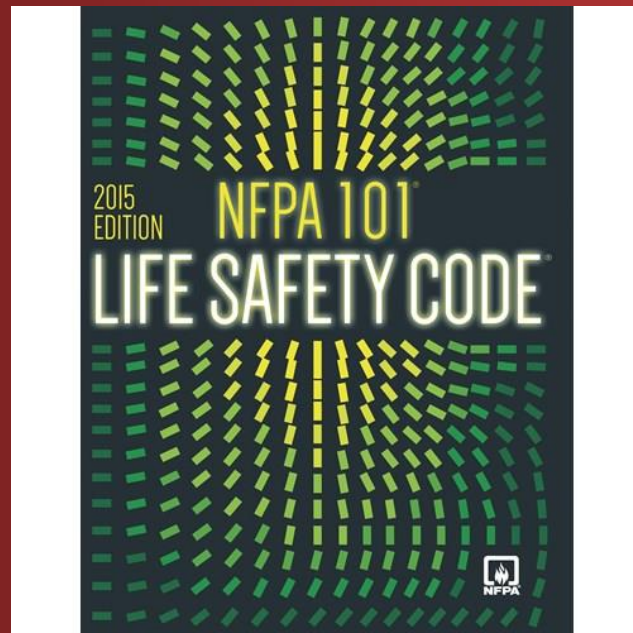
For additional details and information, visit the Code Information & Hot Topic Fire Safety Sheet section of our web page.

<https://firesafety.vermont.gov/buildingcode/codesheets>



Vermont Fire & Building Safety Code

- NFPA 101 Life Safety Code is the standard mostly used for short term rentals:
- Prescribes requirements for: Egress, Fire Ratings, Fire Protection Systems for life safety of occupants



Vermont Fire & Building Safety Code

- Vermont Fire & Building Safety Code has amendments to short term occupancies that impacts the occupancy chapter in NFPA 101 they most follow:
- -add- section 101:24.1.1.1.1 **One or Two Family Dwellings used for Transient Lodging**: A dwelling unit that provides sleeping accommodations for a total of more than 8 people on a transient basis shall be classified in accordance with chapter 26, 28 or 29.
- -delete & replace- section 101:24.1.1.2 **One & Two Family Dwellings** used for Transient Lodging: A building that provides sleeping accommodations for 8 or less people on a transient basis shall be classified as a one & two family dwelling under chapter 24.



NFPA 101 Chapter 24 (1-2 Family)

- Occupancy use for a building for sleeping arrangements for eight (8) occupants or less
 - Example – Queen/King Beds = 2 sleeping arrangements
 - Twin Beds or Twin Bunk Bed = 1 sleeping arrangements
- Chapter 24- Less restrictive code requirements.
- Does not have a new or existing chapter. All requirements from Chapter 24 apply.



NFPA 101 Chapter 26 (Lodging and Rooming)

- Occupancy use for a building for sleeping arrangements for eight 9 – 16 occupants
 - Example – Queen/King Beds = 2 sleeping arrangements
 - Twin Beds or Twin Bunk Bed = 1 sleeping arrangements
- Chapter 26- more restrictive code requirements than chapter 24 (more occupants within a structure)
- Does not have a new or existing chapter. There are requirements for new lodging and rooming occupancy (change of use)



NFPA 101 Chapter 26 (Lodging and Rooming)

- -add- section 101:26.1.1.1.1 **Existing Occupancy- Lodging or Rooming Houses:** A building or portion thereof that does not qualify as a one and two family dwelling under NFPA 101, Chapter 24:1.1.2, **8 or fewer guests**, that provides sleeping accommodations for a total of **(9-16 occupants)** on a transient or permanent basis, without personal care services, with or without meals, without separate cooking facilities for individual occupants. Existing Lodging or Rooming houses are those which were in use prior to the effective date of the adoption of the 2015 Vermont Fire and Building Safety Code. Existing occupancies must comply with the requirements for existing buildings, Chapter 26.



NFPA 101 Chapter 26 (Lodging and Rooming)

- Example: Owner purchases a rental home that has been used as a rental that has provided sleeping arrangements of up to 16. Would need to meet existing requirements within Chapter 26, which includes manual fire alarm system.



NFPA 101 Chapter 26 (Lodging and Rooming)

- -add- section 101:26.1.1.1.2 **Existing Structure New Occupancy Use - Lodging or Rooming Houses:** A building or portion thereof that does not qualify as a one and two family dwelling under Chapter 24.1.1.2, **8 or fewer guests**, that provides sleeping accommodations for a total of **(9-16 occupants)** on a transient or permanent basis, without personal care services, with or without meals, without separate cooking facilities for individual occupants. New Lodging or Rooming House Occupancy is a new use introduced after the effective date of the adoption of the 2015 Vermont Fire and Building Safety Code. New Occupancy Use must comply with NFPA 101, Chapter 26 and 43 of the Life Safety Code. A change of use permit and certificate of occupancy is required for a new occupancy in an existing building.



NFPA 101 Chapter 26 (Lodging and Rooming)

- Example: Owner purchases a single family home (never used or has history of being used as a rental property) and wants rent out and provide sleeping arrangements of up to 16. This change of use will have to meet all new requirements within Chapter 26, which includes sprinkler system and manual fire alarm system.



NFPA 101 Chapter 28, 29 (Hotel Occupancy)

- Occupancy use for a building for sleeping arrangements over 16 occupants
 - Example – Queen/King Beds = 2 sleeping arrangements
 - Twin Beds or Twin Bunk Bed = 1 sleeping arrangements



NFPA 101 Chapter 28, 29 (Hotel Occupancy)

- - Chapter 28, 29- the most restrictive code requirements than other residential occupancy chapters for short term rentals
- Does have a new or existing chapter. Owner shall follow Chapter 43 to determine the occupancy chapter they should be using.
- Existing Hotel Occupancy would require a fire alarm detection system. No sprinkler requirement unless a change of use from single family home to hotel or new construction



Questions?



www.firesafety.vermont.gov

Thank You