



CITY COUNCIL ACTION

Council Meeting Date: April 8, 2024

Item No: 24-118

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Amending the Code of the City of Bangor, by Updating the Expiration Process for Short-Term Rental Licenses and Adding Required Details for Short-Term Rental License Applications.

Summary

The proposed changes would update the City's Code of Ordinances to change the expiration date for all short-term rental licenses from December 31st to May 31st. Currently, the Code sets the expiration date for non-hosted rentals to December 31st and for hosted rentals to a year from when the license was issued. Updating the expiration date for all licenses to one date will provide consistency and clarity for applicants. Additionally, setting the date to May 31st will allow time to calculate the new annual city-wide cap on non-hosted rentals based on April 1st tax data.

The ordinance update also changes the process for expiration so that any license that expires without renewal is treated as a new license, and it adds additional details necessary for license applications, such as the number of bedrooms located within a short-term rental unit.

Committee Action

Committee: Planning Board

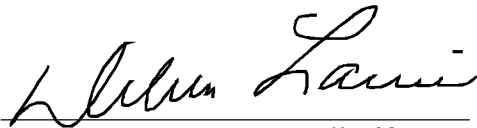
Meeting Date: April 16, 2024

Action:

For:

Against:

Staff Comments & Approvals


City Manager


City Solicitor


Finance Director

Introduced for: First Reading and Referral



CITY COUNCIL ORDINANCE

Date: April 8, 2024

Assigned to Councilor: Schaefer

ORDINANCE, Amending the Code of the City of Bangor by Updating the Expiration Process for Short-Term Rental Licenses and Adding Required Details for Short-Term Rental License Applications.

WHEREAS, the proposed amendments would update the City's Code of Ordinances to change the expiration date for all short-term rental licenses from December 31st to May 31st, change the process for expired licenses, and require additional details for license applications;

WHEREAS, currently, the Code sets the expiration date for non-hosted rentals to December 31st and for hosted rentals to a year from when the license was issued;

WHEREAS, updating the expiration date for all licenses to one date will provide consistency and clarity for applicants and setting the date to May 31st will allow time to calculate the new annual city-wide cap on non-hosted rentals based on April 1st tax data;

WHEREAS, additional details about short-term rental units are needed for issuing licenses;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

The Code of the City of Bangor is amended as follows:

§ 254-4 Licensing.

...
 B. Licensing procedure. All administrative power and authority vested in the City Council to grant or deny a short-term rental license required by this chapter shall be delegated to the reviewing authority.

- (1) Application. The owner or operator of a proposed short-term rental shall file a license application with the reviewing authority on forms provided by the office of the reviewing authority. The application shall include, at minimum:

...

- (b) Contact information. The name, address, e-mail address, and phone number of the applicant, and, if different than the applicant, the contact information of the owner of the building in which the short-term rental unit is proposed to be located, along with written permission from said owner to operate the short-term rental unit. If the owner or operator is a legal entity other than a natural person, the name of all natural persons who have an ownership interest in the legal entity ~~that is listed as the record owner of the property~~ and the contact information of at least one of the named individuals.

- (c) Property location and short-term rental details

[1] The location, including the zoning district, ~~and~~ street address, and property map

and lot number, of the building where the short-term rental unit is proposed to be located.

[2] If the building containing the short-term rental unit contains 2 or more dwelling units, the number of proposed short-term rental units within the building and the total number of dwelling units within the building.

...

[5] ~~For non-hosted short-term rentals, the~~ The name, phone number, and e-mail address of a natural person who is available 24 hours a day, seven days a week, to respond within 60 minutes to any on-site emergency at the premises where the short-term rental unit is located during any period when the short-term rental unit is occupied.

...

[7] For any short-term rental where the operator is a lessee of any part of the property where the rental is located, a lease agreement or other written authorization signed by the landlord must be provided that shows that the dwelling where the short-term rental unit is located is allowed by the owner to be used as a short-term rental.

[8] The number of bedrooms within the short-term rental unit.

[9] If the building where the short-term rental unit is located contains any other uses besides residential, a list of the types of uses contained in the building (e.g. restaurant, retail).

...

(4) Limitations on certain short-term rentals.

(a) Cap on total number of non-hosted short-term rentals. The number of units licensed for non-hosted short-term rentals shall be limited to 1% of the total number of dwelling units existing in the City of Bangor as of ~~January~~ April 1 of each year, as determined by the City Assessor, in the City Assessor's sole discretion.

[1] The reviewing authority shall review all complete license applications for non-hosted short-term rentals on a first-come, first-serve basis and shall issue licenses for those applications that comply with the requirements of this chapter until the maximum number of short-term rental units for the ~~calendar~~ year from May 31 to May 31 of the next year are licensed.

...

...

(c) Limitation on number of short-term rental units per person. A person may not hold a license to operate more than five short-term rental units in the City in any ~~calendar~~ year from May 31 to May 31 of the next year. For the purposes of this provision, a "person" includes any entity or entities under the same ownership or under unified management or control, as defined in § 254-4B, above.

...

C. License expiration; renewal; transferability.

(1) Expiration. All ~~non-hosted short-term rental licenses shall expire on December~~ May 31 ~~and all other short-term rental licenses required by this chapter shall expire one year from the date when the license number was issued by the reviewing authority,~~ unless revoked or suspended prior to

expiration in accordance with § 254-6, or unless renewed prior to expiration according to the provisions of 254-4C(2) below. Any license holder who fails to obtain a renewal license prior to the expiration of the license must file a new license application in accordance with the procedure set forth in § 254-4B, and may not operate the short-term rental until the reviewing authority issues the new short-term rental license. The new license application shall be subject to any applicable limitations set forth in § 254-4B(4).

- (2) Renewal. Each license holder shall annually submit a license renewal application with the reviewing authority at least 30 days before the expiration of the prior year's license on forms provided by the office of the reviewing authority.

...

- (d) Renewal license. Upon a determination by the reviewing authority that the short-term rental has passed inspection, as applicable, and otherwise complies with the requirements of this chapter, the reviewing authority shall issue a renewal of the short-term rental license to the license holder. A license renewal, when granted, shall be valid immediately following the issuance of a renewal. ~~A license holder who fails to obtain a renewal license prior to the expiration of the license must cease operating the short term rental until a renewal new license is issued.~~

...

...

- E. Posting required. Upon the issuance of a short-term rental license number, the license holder shall post and maintain at each short-term rental unit, in plain sight to occupants, a notice containing the following information:

...

- (4) ~~For non-hosted short-term rentals,~~ The name, phone number, and e-mail address of a natural person who is available 24 hours a day, seven days a week, to respond within 60 minutes to any on-site emergency at the premises where the short-term rental unit is located during any period when the short-term rental unit is occupied.

...

§ 254-6 Investigations; ~~violations;~~ license suspension or revocation.

- A. Violations. Violations of this chapter include, but are not limited to, the following:

...

- (3) Failure of an owner or operator of a ~~non-hosted~~ short-term rental to have available, 24 hours a day, seven days a week, a person to respond to on-site emergencies at the short-term rental.

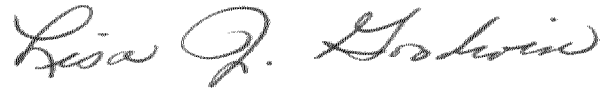
Additions underlined, deletions ~~struck through~~.

IN CITY COUNCIL

APRIL 8, 2024

COrd 24-118

First Reading and Referral to Planning Board meeting on April 16, 2024



CITY CLERK

IN CITY COUNCIL

APRIL 22, 2024

COrd 24-118

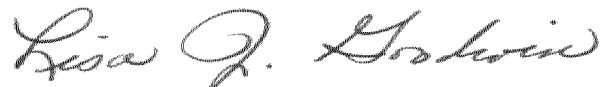
Motion made and seconded for Passage

Vote: 9 – 0

Councilors Voting Yes: Deane, Fish, Fournier, Hawes, Leonard, Schaefer, Tremble, Yacoubagha, Pelletier

Councilors Voting No: None

Passed



CITY CLERK