

Ordinance Number 721

**AN ORDINANCE OF THE CITY OF CRISFIELD AMENDING CHAPTER 112 OF THE CRISFIELD CITY CODE ENTITLED ZONING AND AMENDING CHAPTER 91 OF THE CRISFIELD CITY CODE ENTITLED RESIDENTIAL RENTAL HOUSING BY AMENDING THE PROVISIONS THEREOF FOR THE PURPOSES OF INCORPORATING AMENDMENTS TO REGULATE SHORT TERM RENTALS.**

**WHEREAS**, the ongoing application, administration, and enforcement of the City of Crisfield Municipal Code (the Crisfield City Code) demonstrates a need for its periodic review, evaluation, and amendment, in order to comply with present community standards and values and promote the public safety, health, and welfare of the citizens of the City of Crisfield (the City);

**WHEREAS**, the Mayor and Council of the City of Crisfield (the Mayor and Council) are authorized by MD Code, Local Government § 4-204, as amended, to amend zoning regulations, as the Mayor and Council deem necessary to assure the purposes set forth in MD Code, Local Government § 4-202(b) are satisfied;

**WHEREAS**, the Mayor and Council may amend Chapter 112 of the Crisfield City Code pursuant to the authority granted in §1-5 and §112-15;

**WHEREAS**, the Mayor and Council have determined that the amendments to Chapter 112, Ordinance No. 681, Exhibit A of the Crisfield City Code and amendments to Chapter 91 of the Crisfield City Code set forth below shall be adopted and set forth therein;

**WHEREAS**, pursuant to Chapter 112 of the Crisfield City Code, §112-15(B), the Planning Commission reviewed the matter, held a public hearing, and provided a favorable recommendation on the amendments;

**WHEREAS**, the Mayor and Council find that amendments to Chapter 112 and Chapter 91 of the Crisfield City Code are desirable to establish new provisions governing Short Term Rentals in the City;

**NOW THEREFORE**, be it enacted and ordained by the Mayor and City Council of the City of Crisfield that Chapter 112, Exhibit A of Ordinance 681, of the Crisfield City Code and Chapter 91 of the Crisfield City Code are amended by adding the following sections with language being added in capitalized lettering, language being deleted from the existing ordinance appearing in strikethrough, language being deleted by amendment

appearing in capitalized, bold strike through and language added by amendment appearing in capitalized and underlined:

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## Chapter 112 Zoning

### Exhibit A to Ordinance No. 681

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## Article VIII

### Permitted Uses

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§ 112-45. Residential use category.

C. SHORT TERM RENTAL MEANS THE RENTAL OF A DWELLING, OR A PORTION THEREOF, UPON WRITTEN AGREEMENT, BY THE OWNER OR OPERATOR TO ONE (1) OR MORE INDIVIDUALS FOR OCCUPANCY, DWELLING, LODGING, OR SLEEPING PURPOSES FOR A PERIOD OF NOT MORE THAN FIFTEEN (15) CONSECUTIVE DAYS IN A CALENDAR YEAR. THE RENTAL OF UNITS WITHIN CITY APPROVED HOTELS, MOTELS, AND BED AND BREAKFASTS, SHALL NOT BE CONSIDERED TO BE SHORT TERM RENTALS AND ARE NOT SUBJECT TO THESE PROVISIONS.

(1) SHORT TERM RENTAL TYPE 1-A SHORT TERM RENTAL PROPERTY WHICH BOTH THE OCCUPANT AND THE OWNER OR OPERATOR RESIDE AT THE PROPERTY DURING THE OCCUPANT'S RENTAL.

(2) SHORT TERM RENTAL TYPE 2- A SHORT TERM RENTAL PROPERTY IN WHICH ONLY THE OCCUPANT AND NOT THE OWNER OR OPERATOR RESIDE AT THE PROPERTY DURING THE OCCUPANT'S STAY.

§ 112-47. Commercial use category.

The commercial use category includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use subcategories are as follows:

I. Lodging - Uses that provide temporary lodging for less than 30 days where rents are charged by the day or by the week. Lodging uses may provide food or entertainment on premises. Lodging includes the following specific categories:

(1) Hotel and motel - An establishment for transients consisting of any number of sleeping rooms in permanent buildings, each room or suite of rooms having complete sanitary facilities and separate entrances, including hotel, motel, lodge, tourist park and similar establishments, but not including a boarding- or lodging house, inn or bed-and-breakfast establishment.

(2) Bed and breakfast - A single-family, owner-occupied dwelling in which overnight sleeping rooms are rented on a short-term basis to transients and at which no meal other than breakfast is served to guests, which is included in their room charge.

~~(3) Boardinghouse - A private dwelling or part thereof where lodgings with or without meals are provided for compensation to persons not members of the resident family.~~

§112.56 Table of Permitted Uses

| § 112.56. Table of Permitted Uses  | Zoning   |          |                  |     |     |     |         |     |     |          |    |
|--|----------|----------|------------------|-----|-----|-----|---------|-----|-----|----------|----|
|  | R-1      | R-2      | R-3              | R-4 | C-1 | C-2 | CBD     | I-1 | I-2 | TM       | CO |
| <b>Commercial</b>  |          |          |                  |     |     |     |         |     |     |          |    |
| <b>Lodging</b>   |          |          |                  |     |     | P   | P       |     |     | P        |    |
| Bed and breakfast  | PC       | PC       | <del>SC</del> PC |     |     |     | SC      |     |     |          |    |
| Bed and breakfast, tea room  | SC       | SC       | SC               |     |     |     | SC      |     |     |          |    |
| <del>Boarding or lodging houses or tourist homes</del> SHORT TERM RENTAL, TYPE 1 OR TYPE 2 | SE<br>PC | SE<br>PC | SE<br>PC         | PC  |     | P   | P<br>PC |     |     | SE<br>PC |    |

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Article IX

Supplemental Use Regulations

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**§ 112-59. Bed-and-breakfast AND SHORT TERM RENTALS**

- A. Bed and breakfast establishments are permitted in the R-1, R-2 and R-3 Districts with a zoning certificate and may be permitted in the CBD as a special exception by the Board of Appeals subject to the following:
  - ~~A.~~ (1) The bed and breakfast shall operate in accordance with all State and local health and fire code requirements.
  - ~~B.~~ (2) The bed and breakfast may only be established in a single-family detached dwelling.
  - ~~C.~~ (3) Guest rooms shall be contained within the principal structure.
  - ~~D.~~ (4) The rented rooms do not contain cooking facilities and do not constitute separate dwelling units.
  - ~~E.~~ (5) There shall be no more than one (1) person employed by the bed and breakfast (e.g., as an innkeeper or proprietor) who is not a resident of the dwelling.
  - ~~F.~~ (6) Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
  - ~~G.~~ (7) No additional exterior entrances shall be added to the structure solely for the purpose of serving guest rooms.
  - ~~H.~~ (8) Only the breakfast meal may be prepared for the guests by the proprietor and no other meals are provided by the proprietor.
  - ~~I.~~ (9) No guest may rent a room in a bed and breakfast for more than thirty (30) consecutive days.
  
- B. SHORT TERM RENTALS, TYPE 1 OR TYPE 2 ARE PERMITTED, WITH A BUILDING PERMIT ISSUED BY THE ZONING ADMINISTRATOR, IN THE R-1, R-2, R-3, R-4, CBD AND TM ZONING DISTRICTS PROVIDED THE CONDITIONS STIPULATED IN THE CITY'S CODE, CHAPTER 91 RESIDENTIAL RENTAL HOUSING, ARTICLE II SHORT TERM RENTALS ARE MET.

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Article XI

Off-Street Parking, Loading and Unloading

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§ 112-89. Minimum required parking ratios.

- A. Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with Table 112-89.A.

| Table 112-89.A. Minimum required parking ratios |  |
|---|--|
| Categories/Subcategories/Specific Uses          | Required Parking Spaces  |
| <b>Residential Use Category</b>                 |  |
| Detached Dwelling                               | 2 spaces per dwelling unit   |
| Attached Dwelling                               | 2 spaces per dwelling unit   |
| Semi-attached, Two-family                       | 2 spaces per dwelling unit   |
| Duplex  | 2 spaces per dwelling unit   |
| Townhouse                                       | 2 spaces per dwelling unit   |
| Multi-family/Apartment/condo                    | 1.5 spaces per dwelling unit   |
| Accessory Dwelling Unit                         | 1 space  |
| Mixed-use building, residential                 | All parking required for a non-residential use, 2 spaces per dwelling unit   |
| SHORT TERM RENTAL (TYPE 1 OR TYPE 2)            | THE NUMBER OF PARKING SPACES IS THE SAME AS REQUIRED FOR THE STRUCTURE TYPE. |
| Group Living (except for the following uses)    | 1 space for each resident staff member, plus two visitor parking spaces      |

|                                |  |
|--------------------------------|--|
| <b>Commercial Use Category</b> |  |
| Lodging                        |  |
| - Hotel and Motel, Inn         | 1 parking space for each guest room and two for the resident manager |
| - Bed and Breakfast            | 1 space per guest room and two for the owner-occupant.               |
| — Boarding house               | 1 space per guest room and two for the owner-occupant.               |

|                                   |   |
|-----------------------------------|---|
| Accessory Uses                    |   |
| <del>Rooming, boarding home</del> | <del>2 parking spaces, plus one parking space per rented room</del> |

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## Chapter 91

### Residential Rental Housing

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#### ARTICLE II SHORT TERM RENTALS

##### §91-11 DEFINITIONS AND WORD USAGE

OCCUPANT MEANS THE INDIVIDUAL(S) WHO HAVE LAWFULLY OBTAINED THE EXCLUSIVE USE AND POSSESSION OF THE SHORT TERM RENTAL.

OWNER MEANS ANY INDIVIDUAL OR LEGAL ENTITY THAT HOLDS LEGAL TITLE TO THE REAL PROPERTY.

OWNER OCCUPIED MEANS AN INDIVIDUAL OWNER WHO MAKES THEIR PRIMARY RESIDENCE ON THE REAL PROPERTY UPON WHICH THE SHORT TERM RENTAL IS LOCATED, AS EVIDENCED BY A HOMESTEAD EXEMPTION, VOTER REGISTRATION, VEHICLE REGISTRATION, DRIVER'S LICENSE, OR SIMILAR DOCUMENTATION.

OPERATOR OCCUPIED MEANS A PROPERTY LESSEE, AS DOCUMENTED IN A VALID LEASE AGREEMENT WITH THE OWNER, WHO, WITH THE EXPRESS PERMISSION OF THE OWNER, MAKES THEIR PRIMARY RESIDENCE ON THE REAL PROPERTY UPON WHICH THE SHORT TERM RENTAL IS LOCATED, AS EVIDENCED BY A HOMESTEAD EXEMPTION, VOTER REGISTRATION, VEHICLE REGISTRATION, DRIVER'S LICENSE, OR SIMILAR DOCUMENTATION.

SHORT TERM RENTAL MEANS THE RENTAL OF A DWELLING, OR A PORTION THEREOF, UPON WRITTEN AGREEMENT, BY THE OWNER OR OPERATOR TO ONE (1) OR MORE INDIVIDUALS FOR OCCUPANCY, DWELLING, LODGING, OR SLEEPING PURPOSES FOR A PERIOD OF NOT MORE THAN FIFTEEN (15) CONSECUTIVE DAYS IN A CALENDAR YEAR. THE RENTAL OF UNITS WITHIN CITY APPROVED HOTELS, MOTELS, AND BED AND BREAKFASTS, SHALL NOT BE CONSIDERED TO BE A SHORT TERM RENTAL AND ARE NOT SUBJECT TO THIS ARTICLE.

SHORT TERM RENTAL PERMIT MEANS THE PERMIT ISSUED BY THE CITY THAT IDENTIFIES THE PROPERTY AS A LAWFUL SHORT TERM RENTAL, THE SHORT

TERM RENTAL PERMIT NUMBER, THE NAME(S) AND CONTACT INFORMATION OF THE OWNER(S), OPERATOR(S), AND AGENT(S), AS APPLICABLE, AND A 24-HOUR EMERGENCY CONTACT PHONE FOR AT LEAST ONE (1) OF THE AFOREGOING.

SLEEPING AREA MEANS A ROOM WITHIN A DWELLING DESIGNED OR USED FOR SLEEPING, INCLUDING A BEDROOM. TENTS, HAMMOCKS, RECREATIONAL VEHICLES, AND/OR OTHER VEHICLES AND OUTDOOR AREAS SHALL NOT BE CONSIDERED A SLEEPING AREA.

TYPE 1 SHORT TERM RENTAL A SHORT TERM RENTAL PROPERTY WHICH BOTH THE OCCUPANT AND THE OWNER OR OPERATOR RESIDE AT THE PROPERTY DURING THE OCCUPANT'S RENTAL.

TYPE 2 SHORT TERM RENTAL A SHORT TERM RENTAL PROPERTY IN WHICH ONLY THE OCCUPANT AND NOT THE OWNER OR OPERATOR RESIDE AT THE PROPERTY DURING THE OCCUPANT'S STAY.

§91-12 SHORT TERM RENTAL PERMIT.

- A. NO SHORT TERM RENTAL SHALL OPERATE WITHIN THE CITY WITHOUT A VALID SHORT TERM RENTAL PERMIT.
- B. APPLICATION. APPLICATION FOR A SHORT TERM RENTAL PERMIT SHALL BE MADE IN WRITING TO THE CITY ON A FORM PROVIDED BY THE CITY. APPLICATION FOR A SHORT TERM RENTAL PERMIT SHALL BE ACCOMPANIED BY AN APPLICATION FEE OF ONE HUNDRED DOLLARS (\$100.00) FOR A TYPE 1 PERMIT AND TWO HUNDRED DOLLARS (\$200) FOR A TYPE 2 PERMIT AND SHALL INCLUDE THE FOLLOWING INFORMATION:
  1. A LIST OF ALL OWNERS, OPERATORS, AND AGENTS OF THE SHORT TERM RENTAL INCLUDING NAMES, ADDRESSES, TELEPHONE NUMBERS, AND EMAIL ADDRESSES OF EACH.
  2. A COMPLETE DESCRIPTION OF THE PREMISES TO BE OPERATED AS A SHORT TERM RENTAL.
  3. A NARRATIVE DESCRIBING THE LOCATION OF THE AVAILABLE PARKING.
  4. THE NAME, ADDRESS, AND 24-HOUR TELEPHONE NUMBER OF ALL CONTACT INDIVIDUALS, WHETHER THE OWNER, OPERATOR, OR AGENT, WHO SHALL BE RESPONSIBLE AND AUTHORIZED TO

RESPOND TO COMPLAINTS CONCERNING THE USE OF THE SHORT TERM RENTAL.

5. AN ATTESTATION THAT ALL OWNERS HAVE MET AND SHALL CONTINUE TO MEET ALL STANDARDS AND OTHER REQUIREMENTS OF THIS ARTICLE INCLUDING, BUT NOT LIMITED TO: MAINTENANCE OF INSURANCE COVERAGE OF THE SHORT TERM RENTAL IN ACCORDANCE WITH THIS ARTICLE AND THAT THE SHORT TERM RENTAL HAS THE REQUIRED AND NECESSARY SMOKE DETECTORS AND FIRE EXTINGUISHERS REQUIRED BY LAW.
6. A COPY OF THE STANDARD LEASE AGREEMENT AND HOUSE RULES FOR THE SHORT TERM RENTAL.
7. A PLAN, SKETCH, OR DRAWING, TO SCALE, OF THE PREMISES TO BE OPERATED AS AN SHORT TERM RENTAL, WITH THE USE OF EACH ROOM LABELED, INCLUDING LOCATIONS OF STRUCTURES, AREAS TO BE RENTED, EXPECTED USE OF SPECIFIC ROOMS, DECKS, PATIOS, PORCHES, SWIMMING POOLS, OUTDOOR ENTERTAINMENT AREAS, GARAGES, FENCES, SCREENING, ROADS, PAVED AREAS, WALKWAYS, AND PARKING SPACES.
8. MAXIMUM OCCUPANCY OF THE SHORT TERM RENTAL BASED ON THE NUMBER, SIZE, CONFIGURATION, AND FURNISHINGS OF THE BEDROOMS, AND PER THE APPLICABLE PROVISIONS OF THIS CODE AND/OR STATE LAW OR REGULATION.
9. FOR PROPERTY SUBJECT TO A HOME OWNER'S ASSOCIATION, A COPY OF THE HOME OWNER'S ASSOCIATION PROVISION PERMITTING SHORT TERM RENTALS.
10. NOTARIZED SIGNATURE. SIGNATURE(S) OF THE APPLICANT(S) REPRESENTING THAT ALL CONTENTS OF THE APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF THEIR PERSONAL KNOWLEDGE, INFORMATION, AND BELIEF AND ACKNOWLEDGING THAT ANY MATERIAL MISREPRESENTATIONS OR OMISSIONS ARE GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION OF THE SHORT TERM RENTAL PERMIT.



- C. COMPLETENESS OF APPLICATION. APPLICATIONS SHALL NOT BE CONSIDERED COMPLETE UNTIL ALL DOCUMENTATION REQUIRED UNDER THIS ARTICLE HAS BEEN SUBMITTED AND THE FULL APPLICATION AND PERMIT FEES HAVE BEEN PAID. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
- D. ACKNOWLEDGEMENT BY APPLICANT. IN CONNECTION WITH SUBMISSION OF THE APPLICATION, EACH APPLICANT AND EACH OWNER, IF OTHER THAN THE APPLICANT, SHALL ACKNOWLEDGE THAT ANY SHORT TERM RENTAL PERMIT GRANTED BY THE CITY DOES NOT SUPERSEDE ANY PROPERTY-SPECIFIC RESTRICTIONS AGAINST SHORT TERM RENTALS THAT MAY EXIST UNDER LAW, AGREEMENT, LEASE, COVENANT, HOMEOWNER'S ASSOCIATION POLICIES, OR DEED RESTRICTION.
- E. REGISTRATION OF NON-OWNER OR NON-OPERATOR OCCUPIED RESIDENTIAL DWELLING UNIT. NO SHORT TERM RENTAL PERMIT SHALL BE ISSUED FOR ANY NON-OWNER OR NON-OPERATOR OCCUPIED DWELLING UNIT.
- F. REVIEW. UPON RECEIPT OF A COMPLETED APPLICATION FOR A SHORT TERM RENTAL PERMIT AND PAYMENT OF THE REQUIRED FEE, THE CLERK/ TREASURER, IN CONSULTATION WITH OTHER APPROPRIATE CITY DEPARTMENTS, SHALL DETERMINE IF THE APPLICANT HAS COMPLIED WITH ALL REQUIREMENTS OF THIS ARTICLE AS WELL AS ALL OTHER APPLICABLE LAWS AND REGULATIONS. IF THE APPLICANT IS IN FULL COMPLIANCE, THE CITY SHALL SCHEDULE AN INSPECTION OF THE PROPERTY.
- G. INSPECTION. PRIOR TO A SHORT TERM RENTAL PERMIT BEING ISSUED, THE PROPERTY MUST BE INSPECTED PURSUANT TO § 91-4.
- H. LIMITATIONS ON ISSUANCE.
1. THE CITY COUNCIL RESERVES THE RIGHT TO LIMIT, BY RESOLUTION, THE NUMBER OF SHORT TERM RENTAL PERMITS TO BE ISSUED AT ANY GIVEN TIME WHEN, IN THE OPINION OF THE COUNCIL, SUCH LIMITATION IS IN THE BEST INTEREST OF THE CITY.
  2. A SHORT TERM RENTAL PERMIT CANNOT BE ISSUED UNLESS THE PROPERTY IS ZONED TO PERMIT SHORT TERM RENTALS.

§ 91-13 EXPIRATION AND RENEWAL OF SHORT TERM RENTAL PERMIT.

- A. UNLESS OTHERWISE REVOKED BY THE CITY PURSUANT TO THIS ARTICLE, A SHORT TERM RENTAL PERMIT IS AN ANNUAL PERMIT WHICH EXPIRES ON MARCH 31 OF EACH YEAR REGARDLESS OF THE DATE OF ISSUANCE.
- B. A SHORT TERM RENTAL PERMIT HOLDER SHALL APPLY FOR RENEWAL NO EARLIER THAN THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE PERMIT ON A FORM PROVIDED BY THE CITY. THE PERMIT HOLDER SHALL UPDATE THE INFORMATION CONTAINED IN THE ORIGINAL PERMIT APPLICATION, OR MOST RECENT RENEWAL THEREOF, AS REQUIRED UNDER THIS ARTICLE, AS AMENDED FROM TIME TO TIME, IF ANY SUCH INFORMATION HAS CHANGED. THE PERMIT HOLDER SHALL SIGN AND HAVE NOTARIZED A STATEMENT AFFIRMING THAT THERE IS EITHER NO CHANGE IN THE INFORMATION CONTAINED ON THE ORIGINAL PERMIT APPLICATION, OR MOST RECENT RENEWAL THEREOF, AS APPLICABLE, OR THAT ANY INFORMATION THAT HAS BEEN UPDATED IS ACCURATE AND COMPLETE. APPLICATIONS FOR RENEWAL RECEIVED AFTER THE EXPIRATION OF A CURRENT PERMIT SHALL BE TREATED AS APPLICATIONS FOR A NEW PERMIT.
- C. PRIOR TO THE RENEWAL OF THE SHORT TERM RENTAL, AN INSPECTION PURSUANT TO § 91-12(G) SHALL BE PERFORMED.
- D. THE FEE FOR THE RENEWAL OF A TYPE 1 SHORT TERM RENTAL PERMIT IS ONE HUNDRED DOLLARS (\$100.00), AND THE FEE FOR RENEWAL OF A TYPE 2 SHORT TERM RENTAL PERMIT IS TWO HUNDRED DOLLARS (\$200.00).

§ 91-14. NON-TRANSFERABILITY.

A SHORT TERM RENTAL PERMIT IS NOT TRANSFERABLE TO ANOTHER OWNER, OPERATOR, UNIT, OR LOCATION.

§ 91-15. TYPES.

A. TYPE 1 SHORT TERM RENTAL REGULATIONS.

A TYPE 1 SHORT TERM RENTAL SHALL PROVIDE THE OCCUPANT WITH ACCESS TO AN ENTIRE DWELLING UNIT, SUBJECT TO THE FOLLOWING:

1. A SLEEPING AREA WITH A BED SEPARATE FROM THE OWNER OR OPERATOR;
2. THE SHARED USE OF A FULL BATHROOM AND KITCHEN;

3. THE OWNER OR OPERATOR SHALL GENERALLY BE PRESENT ON THE PROPERTY DURING THE OCCUPANTS' STAY; AND
4. THE PROPERTY SHALL NOT HAVE ANY OUTSTANDING CITY-ISSUED VIOLATIONS AFFECTING THE HEALTH, SAFETY, OR WELFARE OF ANY OCCUPANTS THEREOF, INCLUDING, BUT NOT LIMITED TO, VIOLATIONS OF THE CITY'S PROPERTY MAINTENANCE OR BUILDING CODES.

B. TYPE 2 SHORT TERM RENTAL REGULATIONS.

A TYPE 2 SHORT TERM RENTAL SHALL PROVIDE THE OCCUPANT WITH ACCESS TO AN ENTIRE DWELLING UNIT, SUBJECT TO THE FOLLOWING:

1. A SLEEPING AREA THAT INCLUDES A BED;
2. THE USE OF A FULL BATHROOM AND KITCHEN;
3. THE OWNER OR OPERATOR DOES NOT RESIDE ON THE PREMISES DURING THE OCCUPANTS' STAY AND HAS A DESIGNATED OPERATOR OR AGENT, AS APPLICABLE; AND
4. THE PROPERTY SHALL NOT HAVE ANY OUTSTANDING CITY-ISSUED VIOLATIONS AFFECTING THE HEALTH, SAFETY, OR WELFARE OF ANY OCCUPANTS THEREOF, INCLUDING, BUT NOT LIMITED TO, VIOLATIONS OF THE CITY'S PROPERTY MAINTENANCE OR BUILDING CODES.

§ 91-16. GENERAL STANDARDS.

ALL SHORT TERM RENTALS PERMITTED PURSUANT TO THIS ARTICLE ARE SUBJECT TO THE FOLLOWING:

A. INSURANCE. THE OWNER SHALL KEEP, AT A MINIMUM, AN INSURANCE POLICY SUFFICIENT FOR PERSONAL INJURY LIABILITY OF GUESTS.

B. LIFE SAFETY.

1. SHORT TERM RENTALS AND THE PREMISES UPON WHICH THEY ARE LOCATED SHALL CONFORM TO ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, INCLUDING BUT NOT LIMITED TO ALL APPLICABLE PROVISIONS OF THIS CODE.
2. A STANDARD FIVE (5)-POUND EXTINGUISHER SHALL BE PROPERLY MOUNTED AND ACCESSIBLE ON EACH FLOOR OF THE SHORT TERM RENTAL.
3. SMOKE AND CARBON MONOXIDE DETECTORS SHALL BE INSTALLED AND CONFORM TO ALL APPLICABLE STATE AND

LOCAL LAWS AND REGULATIONS, INCLUDING BUT NOT LIMITED TO ALL APPLICABLE PROVISIONS OF THIS CODE.

4. EACH BEDROOM SHALL HAVE A WINDOW OR OTHER DIRECT MEANS OF EXIT TO THE EXTERIOR OF THE PREMISES IN THE EVENT OF AN EMERGENCY.

C. CONDUCT ON PREMISES.

1. SHORT TERM RENTAL OPERATORS SHALL BE RESPONSIBLE FOR INFORMING THEIR OCCUPANTS OF ALL RELEVANT CITY LAWS AND REGULATIONS AND OCCUPANTS' LIABILITY FOR VIOLATIONS OF SAME.
2. EXCESSIVE NOISE OR OTHER DISTURBANCE OUTSIDE THE SHORT TERM RENTAL IS SUBJECT TO THE PENALTIES SET FORTH IN THIS CODE.

D. TENANT INDOOR NOTIFICATION. THE OPERATOR SHALL POST IN A CONSPICUOUS LOCATION OF THE SHORT TERM RENTAL THE FOLLOWING MINIMUM INFORMATION:

1. LOCATION OF PARKING, AND PROHIBITION OF PARKING ON LANDSCAPED AREAS.
2. QUIET HOURS AND NOISE RESTRICTIONS PURSUANT TO THIS CODE.
3. TWENTY-FOUR (24) HOUR CONTACT PERSON AND PHONE NUMBER.
4. PROPERTY MAINTENANCE REQUIREMENTS.
5. TRASH PICK-UP REQUIREMENTS, INCLUDING LOCATION OF TRASH CANS AND RECYCLING BINS, AS APPLICABLE.
6. CITY EMERGENCY NUMBERS.
7. NOTICE THAT FAILURE TO CONFORM TO THE OCCUPANCY AND PARKING REQUIREMENTS IS A VIOLATION OF THIS ARTICLE AND/OR OTHER PROVISIONS OF THIS CODE, FOR WHICH THE OCCUPANT MAY BE SUBJECT TO PENALTIES AS SET FORTH HEREIN.

§ 91-17. INSPECTION OF SHORT TERM RENTALS.

TO ENSURE CONTINUED COMPLIANCE WITH THE REQUIREMENTS OF THIS ARTICLE, A SHORT TERM RENTAL MAY BE INSPECTED WHENEVER A COMPLAINT IS FILED WITH THE CITY IN ACCORDANCE WITH THE CITY'S ESTABLISHED CODE ENFORCEMENT POLICIES AND PROCEDURES.

§ 91-18. ENFORCEMENT AND PENALTIES.

- A. THE OPERATION OF A SHORT TERM RENTAL IN THE CITY WITHOUT A VALID SHORT TERM RENTAL PERMIT SHALL BE A VIOLATION OF THIS ARTICLE.
- B. THE FAILURE TO OPERATE A SHORT TERM RENTAL IN THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF A VALID SHORT TERM RENTAL PERMIT SHALL BE A VIOLATION OF THIS ARTICLE AND SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF AN SHORT TERM RENTAL PERMIT.
- C. EMERGENCY CONTACT. THE OWNER OR OPERATOR OF THE SHORT TERM RENTAL SHALL PROVIDE THE CITY WITH A TWENTY-FOUR (24) HOUR CONTACT NUMBER FOR THE OPERATOR OR A DESIGNATED AGENT § 91-12 (B)(4) OF THIS ARTICLE, AND SHALL PROVIDE TIMELY UPDATES TO CITY OF ANY CHANGES THERETO. SHOULD A LAW ENFORCEMENT OFFICER OR CODE ENFORCEMENT OFFICER RESPOND TO THE SHORT TERM RENTAL AND ISSUE A WARNING FOR ANY VIOLATION OF APPLICABLE LAW, INCLUDING THIS CODE, THE OWNER, OPERATOR OR THEIR AGENT SHALL BE CALLED BY THE OFFICER. THE OWNER, OPERATOR, OR THEIR AGENT SHALL ATTEMPT TO CONTACT THE OCCUPANTS WITHIN ONE (1) HOUR OF THE CALL TO ADDRESS THE COMPLAINTS. SHOULD AN ADDITIONAL WARNING BE FILED DURING THE OCCUPANTS' STAY, OR AN OCCUPANT IS CHARGED WITH ANY VIOLATION OF APPLICABLE LAW, INCLUDING THIS CODE, THE OWNER OR OPERATOR MUST TAKE APPROPRIATE STEPS, IN ACCORDANCE WITH THE LEASE AGREEMENT AND/OR HOUSE RULES, TO ENSURE FUTURE COMPLAINTS DO NOT OCCUR. A SHORT TERM RENTAL PERMIT SHALL BE REVOKED IF THREE (3) OR MORE CONVICTIONS OF ANY VIOLATION OF APPLICABLE LAW, ARISING AT THE SHORT TERM RENTAL ANYTIME WITHIN A TWELVE (12) MONTH PERIOD. FURTHER, THE OWNER OR OPERATOR MAY NOT APPLY FOR A SHORT TERM RENTAL PERMIT AT THE SAME PROPERTY FOR TWELVE (12) MONTHS FROM THE REVOCATION. FAILURE TO PROVIDE UPDATED INFORMATION TO THE CITY REGARDING THE DESIGNATED AGENT SHALL BE A VIOLATION OF THIS SECTION.
- D. IN ADDITION TO THE SUSPENSION OR REVOCATION OF A SHORT TERM RENTAL PERMIT, ANY VIOLATION OF THE PROVISIONS OF THIS ARTICLE, INCLUDING THE FAILURE TO OPERATE AN SHORT TERM RENTAL IN

ACCORDANCE WITH THE TERMS AND CONDITIONS OF A VALID CURRENT SHORT TERM RENTAL PERMIT, SHALL BE PUNISHABLE AS A MUNICIPAL INFRACTION AND SUBJECT TO A FINE OF TWO HUNDRED DOLLARS (\$200.00) FOR AN INITIAL VIOLATION AND FIVE HUNDRED DOLLARS (\$500.00) FOR A REPEAT VIOLATION WITHIN 12 MONTHS OF ADJUDICATION OF THE INITIAL VIOLATION OR REPEAT VIOLATION. EACH DAY THAT A VIOLATION CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE AND SUBJECT TO A SEPARATE FINE WITHOUT THE NEED FOR ADDITIONAL NOTICES OR CITATIONS AND MAY BE JOINED IN A SINGLE PROSECUTION.

- E. THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO AND NOT IN LIEU OF ANY CRIMINAL OR CIVIL PENALTIES AS PROVIDED BY APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS.
- F. ALL APPLICATION FEES AND FINES RECEIVED IN THE FURTHERANCE OF THIS ARTICLE SHALL GO INTO THE GENERAL FUND.

#### § 91-19. SUSPENSION AND REVOCATION; PROCEDURES.

IN ADDITION TO THE CITY'S AUTHORITY TO SUSPEND OR REVOKE A SHORT TERM RENTAL PERMIT SET FORTH ELSEWHERE IN THIS ARTICLE, THE CITY IS AUTHORIZED TO SUSPEND OR REVOKE A SHORT TERM RENTAL PERMIT WHENEVER SUCH PERMIT IS ISSUED IN ERROR OR ON THE BASIS OF INCORRECT INFORMATION SUPPLIED OR WHERE IT IS DETERMINED THAT THE SUBJECT PREMISES, BUILDING, STRUCTURE, UNIT, OR PORTION THEREOF IS IN VIOLATION OF THE PROVISIONS OF THIS ARTICLE OR ANY OTHER APPLICABLE STATE OR LOCAL LAW OR REGULATION, INCLUDING THIS CODE. THE PROCEDURES TO SUSPEND OR REVOKE A SHORT TERM RENTAL PERMIT ARE AS FOLLOWS:

1. THE CITY SHALL GIVE WRITTEN NOTICE TO THE OWNER AND OPERATOR, IF ANY, VIA EMAIL REGARDING THE BASIS FOR THE SUSPENSION.
2. THE OWNER AND OPERATOR, IF ANY, SHALL HAVE THREE (3) BUSINESS DAYS, INCLUDING THE DATE THE NOTICE IS SENT, TO ABATE THE VIOLATION AND HAVE THE CITY INSPECT AND APPROVE THE ABATEMENT AS SATISFACTORY. IF THE ABATEMENT DOES NOT

OCCUR WITH THREE (3) BUSINESS DAYS, THE SUSPENSION SHALL BECOME EFFECTIVE.

3. THE OWNER AND OPERATOR, IF ANY, SHALL HAVE THIRTY (30) DAYS FROM THE DATE OF SUSPENSION TO ABATE THE VIOLATION AND HAVE THE CITY INSPECT AND APPROVE THE ABATEMENT ACTION. IF ABATEMENT DOES NOT OCCUR WITHIN THIRTY (30) DAYS, THE SHORT TERM RENTAL PERMIT SHALL BE REVOKED.
4. IF A SHORT TERM RENTAL PERMIT IS REVOKED, THE SUBJECT PROPERTY SHALL NOT BE ISSUED ANOTHER SHORT TERM RENTAL PERMIT FOR A PERIOD OF SIX (6) MONTHS FROM THE DATE OF REVOCATION.

#### § 91-20. APPEALS.

IF THE CITY DENIES ISSUANCE OR RENEWAL OF A SHORT TERM RENTAL PERMIT OR SUSPENDS OR REVOKES A SHORT TERM RENTAL PERMIT ISSUED UNDER THIS ARTICLE, THE CITY'S DECISION IS FINAL AND NOT SUBJECT TO FURTHER APPEAL UNLESS THE OWNER FILES A WRITTEN APPEAL WITHIN TWENTY (20) DAYS TO THE BOARD OF APPEALS. THE BOARD OF APPEALS SHALL CONSIDER THE APPEAL AT THE NEXT MEETING. PENDING THE DECISION OF THE BOARD OF APPEALS, THE SUSPENSION, REVOCATION OR DENIAL OF A PERMIT OR ITS RENEWAL IS NOT STAYED.

#### § 91-21. OTHER RESTRICTIONS ON USE OF PREMISES.

THIS ARTICLE DOES NOT CREATE ANY RIGHT TO OPERATE A SHORT TERM RENTAL IN VIOLATION OF ANY LEASE, LICENSE, DEED RESTRICTION, COVENANT, EASEMENT, OR OTHER LEGAL ENCUMBRANCE, TO INCLUDE HOME OWNERS' ASSOCIATION RULES.

**Section 2.** It is the intention of the Mayor and Council of the City of Crisfield that each provision of this Ordinance shall be deemed independent of all other provisions herein.

**Section 3.** It is further the intention of the Mayor and Council of the City of Crisfield that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph,

subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**Section 5.** This Ordinance shall take effect from and after the date of its final passage.

***[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]  
[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]***



**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Crisfield held on the \_\_\_\_ day of \_\_\_\_\_, 2024, and, a public hearing was held on the \_\_\_\_ day of \_\_\_\_\_, 2024, following which a second reading occurred and was passed by the Council of the City of Crisfield on the \_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

\_\_\_\_\_  
**Joyce L. Morgan, City Clerk-Treasurer  
President**

\_\_\_\_\_  
**Ivan R. Lankford, City Council Vice  
President**

\_\_\_\_\_  
Eric Banks, Councilman

\_\_\_\_\_  
Casey Goldsborough, Councilman

\_\_\_\_\_  
LaVerne Johnson, Councilwoman

\_\_\_\_\_  
Ruthie Todd, Councilwoman

Approved, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Darlene M. Taylor, Mayor**

This Ordinance shall be effective at the expiration of 20 calendar days following approval by the Mayor or passage by the Council over veto. A fair summary of each ordinance shall be published at least twice in a newspaper or newspapers having general circulation in the municipality, and a statement inviting interested persons to view the complete text of the ordinance at City Hall during regular business hours shall be appended to that published summary.