

**Amendment to New Shoreham General Ordinances  
Chapter 8 Licenses, New Article: Article XII Residential Short-Term Rentals,  
Sections 8-320 – 8-331**

2024-14

It is ordained by the New Shoreham Town Council:

**CHAPTER 8: RESIDENTIAL SHORT-TERM RENTALS**

**§ 8-320. LEGISLATIVE FINDINGS AND INTENT.**

The Town Council of the Town of New Shoreham, Rhode Island hereby finds:

- (a) The Constitution of the State of Rhode Island, Article XIII, Section 2, grants to the Town of New Shoreham the power to “enact and amend local laws relating to its property, affairs and government” as long as such local laws are consistent with the Constitution and laws enacted by the General Assembly. This delegation of power includes the police power to enact reasonable legislation to regulate and supervise rental dwelling units in order to protect the public health, safety, and welfare.

**§ 8-321. DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**BEDROOM.** Any room in a residential structure which is greater than 70 square feet in area, which is susceptible to present or future use as a private sleeping area and which satisfies all of the following requirements: (1) Has at least one window that meets the 4.4 square foot minimum size and all other requirements of the “Rhode Island State Building Code SBC-1 or SBC-2”; (2) Has at least one interior method of entry and egress, excluding closets and bathrooms, allowing the room to be closed off from the remainder of the residence for privacy; and (3) Is a living space that is unrestricted for year-round use. Rooms located below grade that are not recognized as bedrooms by the “Rhode Island State Building Code SBC-1 or SBC-2” are not recognized as bedrooms under this ordinance.

**DWELLING UNIT.** A structure or portion thereof providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and containing a separate means of ingress and egress.

**LOCAL REPRESENTATIVE.** A person designated on a Registration Form filed under this chapter as the person authorized to receive any process, notice, or demand required or permitted to be served upon the owner of the dwelling unit. Said individual shall be physically present in New Shoreham during short-term rental periods.

**REGISTRAR.** The Town of New Shoreham Zoning Official or his/her designee.

RENTER. Any and all individuals occupying a dwelling unit under the terms of a short-term rental arrangement, including any and all guests of renters.

SHORT-TERM RENTAL. The rental, lease, or other contractual arrangement for the occupation or use of a dwelling unit for a term of thirty (30) days or less.

§ 8-322. APPLICABILITY.

The provisions of this chapter shall apply to all rental dwelling units within the Town of New Shoreham except (1) hotels and rooming houses, (2) group homes, community residences, and family day care homes, and (3) licensed Rental Rooms.

§ 8-323. REGISTRATION and INSPECTION.

- (a) All dwelling units which are let, leased, rented, or otherwise occupied, in whole or in part, by a renter for rental and/or dwelling purposes for a period of thirty (30) days or less under a short-term rental shall be registered by the owner with the Registrar before any renter occupies the dwelling unit.
- (b) Each dwelling unit shall be registered annually, on or before December 31<sup>st</sup> of each year, by filing a completed Registration Form with the Registrar, along with the registration fee. Registrations, once issued, shall be valid for a one-year period from January 1<sup>st</sup> to December 31<sup>st</sup> of the following year. Upon registration, the Registrar shall assign a "Registration Number" to the dwelling unit.
- (c) Following registration, the dwelling unit may be inspected by the Zoning Official and/or Fire Chief, or their designees, to determine the occupancy limit of the dwelling unit and if smoke and carbon monoxide detectors are installed in compliance with the State Fire Code.

§ 8-324. REGISTRATION FORM and FEE

- (a) The Registration Form shall be in a form approved by the town council and kept on file with the town clerk.
- (b) The registration fee shall be set by the town council and kept on file with the town clerk.

§ 8-325. OCCUPANCY LOCATION, LIMITS, AND OTHER REQUIREMENTS.

- (a) Short-term rentals are only permitted in a dwelling unit, or a portion thereof, by renter(s) or occupant(s) for residential purposes. No provision in this chapter shall be construed as permitting short-term rentals where said rental is prohibited by zoning ordinance or other applicable law.
- (b) The maximum occupancy for the dwelling unit shall be two (2) persons per bedroom. This is a method of calculation of occupancy of the dwelling unit as a whole and not a restriction on how bedrooms are used. The number of bedrooms shall not exceed the number of bedrooms supported by the design load of the property's septic system, if any. Children under three (3) years of age shall be exempt from this limitation.

§ 8-326. OWNER'S OBLIGATIONS.

- (a) Posting of Information. The owner shall post, in plain view and in a conspicuous place within the dwelling unit, a notice, in a form to be compiled by the Town and made available by the Registrar upon request, containing:
- a. A web address where relevant information, as determined by the town council, may be posted online, including, relevant ordinances related to short-term rentals, noise, parking, open containers, and dog restraints;
  - b. The maximum number of occupants permitted to stay in the dwelling unit;
  - c. The street address of the dwelling unit;
  - d. The fire number of the dwelling unit, which shall also be posted in a conspicuous place outside of the dwelling unit;
  - e. The name and telephone number of the local representative or owner; and
  - f. The telephone number for the New Shoreham Police Department.
- (b) Public Rental Postings. A valid Registration Number shall be included in all public rental postings (i.e.: AirBnB, VRBO, rental advertisements, etc.) for the dwelling unit. Further, said public rental posting shall not advertise occupant capacity beyond that permitted by this chapter.

§ 8-327. LOCAL REPRESENTATIVE.

- (a) The owner shall designate on the Registration Form an individual who shall be physically present in New Shoreham during short-term rental periods as the owner's local representative, who shall be authorized to receive any process, notice, or demand required or permitted to be served upon the owner of the dwelling unit. The owner may be designated as the local representative. If the owner seeks to change the designated local representative, an amended Registration Form shall be filed with the Registrar.
- (b) The local representative shall respond to inquiries from town officials, including, but not limited to the police department, promptly, but in no event longer than two (2) hours from the time of inquiry, to ensure that the use of the dwelling unit complies with the requirements of this chapter, as well as all other town ordinances and state laws. Failure to timely respond to inquiries from town officials more than once during the term of the annual registration shall be considered a violation of this chapter.

§ 8-328. ENFORCEMENT; PENALTY FOR VIOLATIONS.

- (a) Violation of any provision of this chapter shall be subject to a fine of not more than \$200.00 per day for each day the violation continues.
- (b) Violations shall be enforceable through issuance of a citation by either the police department or the zoning official. Citations may be served in person, by regular mail, postage prepaid, or by electronic mail to the owner or local representative. Violations shall be heard and adjudicated by the Town of New Shoreham Warden's Court.

§ 8-329. IMPLEMENTATION.

This chapter shall take effect upon passage, provided, however, that enforcement of violations shall be stayed until January 1, 2025.

Posted: June 24, 2024  
Hearing: July 17, 2024  
Adopted: July 17, 2024  
Effective: July 24, 2024  
Posted: July 22 – August 1, 2024

Attest: Millicent Highet, MMC  
Town Clerk