

CITY OF GARDINER
CODE CHAPTER 5.13 Short Term Rentals

SECTION

- 5.13.1 Purpose
- 5.13.2 License Required
- 5.13.3 Licensing Procedure
- 5.13.4 Approval Standards
- 5.13.5 Fees
- 5.13.6 Definitions

Section 5.13.1 Purpose

The intent of this chapter is to protect the health, safety, and general well-being of the residents of the City of Gardiner; to require the inspection and licensing of short term rental units to ensure that all rental units are meet minimum safety and sanitary requirements; and to ensure that properties are accessible to emergency responders in an event of an emergency; and to ensure that properties are kept from creating a public nuisance to preserve and enhance the quality of our common environment.

Section 5.13.2 License Required

No person or organization shall advertise for or rent out a short-term rental within the City of Gardiner without first obtaining a Short Term Rental (STR) License in accordance with the provisions of this ordinance.

Each STR shall be licensed annually each calendar year no later than January 15th.

Section 5.13.3 Licensing Process

Applications for a Short Term Rental license shall be processed and reviewed according to the following procedures.

5.13.3.1 A complete application shall be submitted to the Code Enforcement Office and all associated fees paid.

5.13.3.2 Each proposed rental unit must be inspected and approved by the Code Enforcement Officer.

Section 5.13.4 Approval Standards

In addition to the license, a signed agreement stating receipt and agreement with the following standards is required.

5.13.4.1 Short Term rental activities will not create a public nuisance by creating undue noise, trash, public health hazards, criminal activity, or any other undue hardships for

municipal services. Multi unit Short Term Rentals must provide the City, Gardiner Police Department and Gardiner Fire Department with a means of accessing the rental units in the case of an emergency. This can be an access code or a Knox Box.

5.13.4.2 The applicant must provide the Code Enforcement Officer with the name and phone number of a responsible party to contact 24 hours a day in case of an emergency.

5.13.4.3 The property owner or manager shall keep a record of tenants including name address and contact information. These records shall be kept for a period of not less than 1 year from the last day the tenant was onsite and must be provided to law enforcement if requested.

Section 5.13.5 Short Term Rental Operational Standards

5.13.5.1 In a single-family dwelling unit which serves as the Host's primary residence, the Host may license up to three (3) rooms as a Short-Term Rental. On lots where two (2) or more dwelling units exist, one unit may be registered as a STR, except where more are allowed as below.

5.13.5.1.1 No partial unit STR shall be permitted in a multi-unit building.

5.13.5.2 In all zones other than the Traditional Downtown Zone, multi-unit buildings with three (3) or more dwelling units, up to 10% of units may be rented as STRs. Where this formula creates a fraction, the number of units that may be rented shall be rounded up.

5.13.5.2.1 In the Traditional Downtown Zone, 50% of the residential dwelling units in a structure may be registered as STRs. When there are an odd number of residential units in a structure it may be rounded up.

5.13.5.3 Municipal officers may revoke a Short Term Rental License if it is found that the property is in violation of any of the standards found in 5.13.4. This decision can be appealed through the Board of Appeals in accordance with Section 2.4 of the Gardiner Land Use Ordinance.

5.13.5.4 Municipal officers may immediately suspend a License when they have a reasonable belief that human health or safety is at risk.

5.13.6 Definitions

Short Term Rental (STR): a rental of a dwelling unit or portion thereof for a period of 30 days or less.

Host: The person identified in the STR license as the operator of an STR. The Host oversees compliance with all applicable rules and regulations and license conditions and is designated in the STR license as the party responsible to make or secure timely decisions concerning compliance with this chapter and/or in emergency situations. The Host may be the property owner, a continuing tenant residing in a

dwelling unit in the STR property, or an off-site party who has immediate and complete property access.

Multi-Unit Residential: A residential structure containing three (3) or more residential dwelling units.

Land Use Ordinance

10.34 Short Term Rentals

10.34.1 Before operating Short Term Rental (STR) in the City of Gardiner the owner or agent shall first secure a STR License in accordance with Gardiner's Short Term Rentals Code.

10.34.2 One parking space must be provided for each rental unit. Evidence of nearby public parking can be used at the Planning Board's discretion.

10.34.3 All rental units must pass an inspection by the CEO verifying basic life safety, health and sanitation requirements and any additional requirements imposed under the Short Term Rentals Code.

Add to Section 17 Definitions

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	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
STR	N	C	C	C	C	C	C	C	N	C	N	C	C	C	C	C
STR in Multi Unit & Mixed Use	N	P	P	P	P	P	P	P	N	P	N	P	P	P	P	P