

WILLIAMSBURG TRANSIENT LODGER BYLAW

(Note: Needs section assignment in the Town's General Bylaw prior to vote.)

Section 1. Purpose

The purpose of this Bylaw is to ensure that Short-Term Rentals in Single-Family Dwellings, and Lodging Facilities provide safe and healthy lodging for visitors to Williamsburg by requiring 1) registration and licensing of these facilities; 2) annual inspections; and 3) maintenance of a guest register.

Section 2. Legislative Intent and Authority

This Bylaw is adopted in accordance with General Laws c.64G, § 14, which authorizes municipalities to enact bylaws to regulate operators of Short-Term Rentals, and the Town's Home Rule authority under the Massachusetts Constitution. Nothing herein shall interfere with the independent authority of the Board of Health to enact its own health and safety regulations with respect to Short-Term Rentals and Lodging Facilities

Section 3. Definitions

Short-Term Rentals in a Single-Family Dwelling is an accessory use to a Single-Family Dwelling. All or part of the Single-Family Dwelling may be used to provide overnight accommodations for transient guests, for a rental period not to exceed thirty-one (31) consecutive days. The Single-Family Dwelling must be the primary residence of the owner or leaseholder, and no more than four bedrooms in the dwelling, with or without access and use of other portions of the dwelling, may be offered for rental. For purposes of this Bylaw, a Bed and Breakfast Inn shall be considered a Short-Term Rental in a Single-Family Dwelling and shall, in all instances, be limited to the rental of not more than four bedrooms in a single-family dwelling.

A Lodging Facility is a hotel, motel, inn, or other commercial establishment, with or without a dining room or restaurant, which offers sleeping accommodations for transient guests, for a period not to exceed thirty-one (31) consecutive days, and which does not otherwise qualify as a Short-Term Rentals in a Single-Family Dwelling, as defined in the bylaws for the Town of Williamsburg.

A dwelling is considered the primary residence of an owner or leaseholder, if the owner or leaseholder resides in said dwelling for 183 days, or more, each year.

Section 4. Registration and Licensing

Short-Term Rentals in Single-Family Dwellings must register annually with the Town Clerk with location, number of rooms available, and emergency contact information for the owner or leaseholder of the Short-Term Rental property.

All Short-Term Rentals in Single-Family Dwellings shall be licensed by the Board of Selectmen. Failure to obtain a license shall constitute a violation of this Section. The Board of Selectmen may adopt rules and regulations related to the issuance of such licenses, including the fees to be paid and the conditions to be satisfied by any applicant for such a license. Licenses shall be for a two-year term and are renewable at the discretion of the Board of Selectmen. Persons operating a Short-Term Rental in a Single-Family Dwelling shall also comply with all Zoning and General Bylaws of the Town of Williamsburg, including Bylaws regulating signs.

Lodging Facilities must register annually with the Town Clerk with emergency contact information. They must also comply with Massachusetts laws and regulations, including but not limited to, the Massachusetts State Building, Plumbing, Electrical, Fire and Sanitary Codes, and all Zoning and General Bylaws of the Town of Williamsburg, including Bylaws regulating signs.

Section 5. Inspections

Short-Term Rentals in Single-Family Dwellings must pass the following inspections:

- Annual inspection and approval from the Health Department.
- Annual fire inspection demonstrating adequate egress, smoke detectors, and carbon monoxide detectors, as determined by the Fire Chief or designated fire inspector.

Section 6. Guest Registers

Short-Term Rentals in Single-Family Dwellings, and Lodging Facilities must maintain, for a period of at least two (2) years, a guest register that includes the name and address of the guest(s) and the date and length of stay.

Section 7. Enforcement

The Board of Selectmen or its designee may issue orders as appropriate to aid in the enforcement of this Bylaw and may enforce these provisions in equity, including the request for injunctive relief in a court of competent jurisdiction or enforcement by noncriminal disposition pursuant to G.L. c. 40, §21D. Any failure to comply with any order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said final fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.