

TOWN OF NEW WINDSOR

ORDINANCE NO.: 05-02-18

AN ORDINANCE TO AMEND CHAPTER 215 OF THE CODE OF THE TOWN OF NEW WINDSOR REGARDING SHORT-TERM RENTALS OF REAL PROPERTY

WHEREAS, by virtue of the authority contained in the Land Use Article of the Annotated Code of Maryland and Chapter 35 of the Code of the Town of New Windsor, the Mayor and Council have the authority to adopt, and from time to time amend, regulations relating to the use of real property within the Town; and

WHEREAS, these amendments have been reviewed by the Planning and Zoning Commission; and

WHEREAS, the Mayor and Council held a public hearing on these amendments on the _____ day of _____, 2018;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF NEW WINDSOR:

ARTICLE 1. That Chapter 215-1 be amended to add the following definition:

Short term rental – A dwelling unit, or portion thereof, which is rented or leased to individuals for overnight accommodations for compensation, for a period of less than thirty (30) days. Motels, hotels, bed and breakfasts and country inns are excluded from this definition.

ARTICLE 2. That a new Section 215-13 be adopted to read as follows:

Section 215-13. Short term rentals. In any district in which a short term rental is an authorized use, the following minimum conditions shall apply:

A. The property to be rented must be registered with a recognized on-line rental company, and be in compliance with all requirements of such registration. For illustrative purposes only, Airbnb and VRBO (Vacation Rental by Owner) are such companies.

B. The property must be registered with the Town and the owner will be provided a short term rental certificate. Said registration shall include contact information for the owner and/or an authorized representative and such other information as the Town may require. The rental certificate must be displayed so as to be available for review by any renters.

C. A short term rental shall not have a sign or other evidence of its use other than one indicating an address.

D. The Mayor and Council shall, from time to time, pass a Resolution establishing the fee for short term rental registration.

ARTICLE 3. Section 215-20 shall be amended to add a new subsection C to read as follows:

C. Short term rentals.

ARTICLE 4. Section 215-26 shall be amended to add a new subsection C to read as follows:

C. Short term rentals.

ARTICLE 5. Section 215-32 shall be amended to add a new subsection C to read as follows:

C. Short term rentals.

ARTICLE 6. Section 215-38 shall be amended to add a new subsection to read as follows:

C. Short term rentals.

ARTICLE 7. Section 215-44 shall be amended to add a new subsection to read as follows:

C. Short term rentals.

ARTICLE 8. Section 215-65 shall be amended to add a new subsection to read as follows:

A. Any uses customary or incidental to a principal permitted or conditional use.

B. Short term rentals.

ARTICLE 9. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this chapter, it being the intent of the Town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

ARTICLE 10. Section Headings, Chapter Headings, Titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

ARTICLE 11. Existing Liabilities.

This Ordinance shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment. All suits and actions, both civil and criminal pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance affected by the adoption of this Ordinance shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Ordinance had not become effective.

ARTICLE 12. Effective Date.

This Ordinance shall take effect on the _____ day of _____, 2018.

Introduced this 2nd day of May, 2018.

Donna Alban
Donna Alban, Town Clerk

Passed this _____ day of _____, 2018, by a vote of _____ members in favor and _____ Council members opposed.

Donna Alban, Town Clerk

ATTEST:

Donna Alban
Town Clerk

Neal C. Roop
Mayor

Effective this _____ day of _____, 2018.

Approved as to form and legal
sufficiency this _____ day of
_____, 2018.

By: _____
Michelle M. Ostrander

NOTE: Matter in [brackets] is proposed for deletion from existing law.
Matter underlined is new material proposed to be added to existing law.