

CHAPTER 2. - SHORT TERM VACATION RENTALS

Sec. 13-201. - Definitions.

For purposes of this section, "short term vacation rental (STVR)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests. Residential dwelling units rented to the same occupant for more than 21 continuous days, bed and breakfast establishments, boarding houses, hotels, and motels shall not be considered short term vacation rentals.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-202. - Certificate of use and occupancy application required.

No person or entity shall operate a short term vacation rental (STVR) or advertise a residential property for use as a STVR without the owner of the property first having made application to the building and neighborhood services (BNS) department to update their certificate of use and occupancy.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-203. - Responsible party.

The owner of the property shall be responsible for the STVR being in compliance with the Municipal Code, the zoning ordinance, and adopted construction codes. The owner shall keep the city updated with the most current name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within 25 miles of the STVR that is responsible for addressing all maintenance and safety concerns.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-204. - Proof of insurance required.

Proof of insurance evidencing homeowner's fire, hazard, and liability insurance shall be presented annually to the building and neighborhood services (BNS) department. Liability coverage shall have limits of not less than \$1,000,000.00 per occurrence. This coverage shall be continuous while the STVR is in operation.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-205. - Common walls and driveways.

If the STVR unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application shall be submitted to BNS.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-206. - Signage.

Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STVR is prohibited per the applicable provisions of the zoning ordinance.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-207. - Noise and waste.

All STVR occupants shall abide by all applicable noise restrictions contained in the Municipal Code title 11, chapter 4, offenses against the peace and quiet and all applicable waste management provisions of title 17, including section 17-203, premises to be kept clean.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-208. - Smoke detectors required.

The STVR shall have approved smoke alarms meeting underwriters laboratory (UL) 217 standards installed as follows:

- (1) In all sleeping areas.
- (2) In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
- (3) In each story within the sleeping unit, including basements.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-209. - Food service.

No food shall be prepared for or served to the transient by the owner or responsible party.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-210. - Age requirement.

The principal renter of a STVR unit shall be at least 21 years of age.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-211. - Maximum occupancy.

The maximum number of occupants permitted on a STVR property at any one time shall not exceed ten occupants. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STVR unit.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-212. - Term of rental.

The STVR owner shall not receive any compensation or remuneration to permit occupancy of a STVR for a period of less than 24 hours. The maximum stay for any guest shall be 21 consecutive days.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-213. - Contact information shall be posted.

The name and telephone number of the local responsible party shall be conspicuously posted within the STVR unit. The responsible party shall answer calls 24 hours a day, seven days a week for the duration of each short term rental period to address problems associated with the STVR. The certificate of use and occupancy shall also be conspicuously posted within the STVR unit.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-214. - Annual application required.

A STVR application shall be required every 365 days. STVR application fees are as stated in appendix A, comprehensive fees and penalties.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-215. - Payment of taxes required.

The owner and/or responsible party shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Municipal Code.

(Ord. No. 2015-06, § I, 6-9-2015)

Sec. 13-216. - Complaint administration.

(1) Upon the filing of three or more complaints (including calls to Franklin Police Department) within

a calendar year regarding a STVR permit, BNS shall notify the permit holder in writing of such complaints.

- (2) If BNS determines that violations of this section or any other ordinance or law relating to STVRs have occurred, the right to operate a STVR may be revoked by action of the board of mayor and aldermen.
- (3) Before the revocation action is placed on an agenda for the board of mayor and aldermen, BNS shall give the responsible party 15 days' written notice of the alleged violation(s) against him/her.

(Ord. No. 2015-06, § 1, 6-9-2015)