

# EAST LYME SHORT-TERM RENTAL COMMITTEE

## PERMITS, INSPECTIONS, OCCUPANCY OPTIONS

JANUARY 16, 2024

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### OVERVIEW

The East Lyme Short-Term Rental (STR) Committee was established to survey local residents and landlords, research STR approaches by other towns, and make recommendations to the Board of Selectmen.

The STR Committee has six options:

- Do nothing. Urge maintaining the status quo.
- Recommend simple Annual Registration by STR property owners
- Recommend Annual Permitting process
- Recommend Annual Permit & Safety Inspection
- Recommend Permit, Inspection & Regulations (Occupancy, Parking, Noise, Trash)
- Recommend total ban or a cap on short-term rentals in East Lyme

### Current Conditions Regarding STRs in East Lyme

- East Lyme has no zoning regulations or ordinances regarding short-term rentals
  - Zoning head Bill Mulholland says no regulations means STRs are prohibited
  - There is no zoning enforcement to curtail an STR operating in town unless:
    - Complaints are filed to zoning office against an STR operating in town
      - Mulholland writes to the landlord seeking corrective action
      - If no correction taken, Mulholland writes a 2nd warning letter
      - If a third letter is sent, the order is cease and desist
- Mulholland's "professional and personal" opinion is the status quo is working well
- He says regulating and granting permits to STRS acknowledges they are allowed
- If STRs are regulated in East Lyme Mulholland says his office can handle the process

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## **ANNUAL STR PERMIT**

An annual permit for rental properties allows for more regulation, oversight and accountability beyond a simple registration.

In Southeastern Connecticut, Preston, Ledyard and Bozrah have annual STR permit requirements. Bozrah has an ordinance governing short-term rentals. Ledyard had an ordinance that sunsetted in 2022 and was replaced by zoning regulations. Preston manages STRs through its Zoning regulations. All three towns have appointed a Short-Term Rental Enforcement official for permitting, inspections and enforcement.

Below are the common requirements for an annual rental permit in the three towns:

### **General Permit Application Requirements (Preston, Ledyard, Bozrah):**

- Contact information of owner/landlord/permit holder
  - Name, email, phone, address if different from the rental property
  - Contact info of responsible person for the rental if different from owner
- Address of STR property, number of bedrooms/beds, off-street parking spaces
- Property owner is not delinquent on property taxes, without property liens
- Proof of insurance
- Annual fee: \$200 (Bozrah), \$200 (Ledyard), \$150 new/\$100 renewal (Preston)
- Without a permit, the STR may not operate legally in the towns.

### **Reasons for Denial of an STR Permit Application (Ledyard):**

- Application not completed, was unsigned, or fee not paid
- Application is out of compliance with the town's STR zoning regulations
- Applicant is delinquent on property taxes, or property has liens
- Property has zoning, building, fire, health violations, or failed safety inspection

### **Reasons to suspend or revoke an STR Permit Application (Ledyard):**

- Based on complaints or inspections that reveal regulation violations
- STR Permit Application contains false statements, or wrong contact information

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## ANNUAL STR INSPECTIONS

This procedure would expand the permitting process to include an annual safety inspection prior to issuing a 1-year permit to operate a short-term rental. An annual safety inspection would be conducted by the office of the East Lyme Fire Marshal. \*

### STR Annual Safety Inspection:

- Confirm the rental has adequate number of smoke detectors in working order
- Confirm there is a working fire extinguisher near the kitchen
- Check fire pits and open burning areas for safety
- Review parking access to rental unit
- Confirm that emergency exits are clear
- Determine number of bedrooms and beds in the rental unit
- Check for faulty wiring, overloaded circuits, or other potential fire hazards

East Lyme Fire Marshal Bill Bundy is a strong advocate for adding safety inspections to the STR permitting process. He and the Fire Chief, along with two part-time inspectors, now conduct about 1,500 annual inspections in East Lyme. A third part-time Fire Marshal employee is studying to earn state certification as a safety inspector.

If estimates are correct that around 200 STR units operate in East Lyme, Bundy says his office should be able to handle the annual inspections with existing staff. Bundy said East Lyme charges for the inspections based on the square footage of the building. Residential properties of up to 3,000 square feet are charged \$65 for an inspection. The inspections take, on average, about 15 minutes.

Bundy also favors a detailed registration/permit application that would provide police and fire officers with helpful contact information in an emergency. The STR permit database would be incorporated into the 911 emergency database for quick reference to identify the address contact.

\* Preston requires inspections by the Building Inspector and the Fire Marshal. Preston also requires a site plan, elevation drawings, legal notice. Preston has a six-month moratorium on issuing new STR permits, effective Dec. 22, 2023, pending review of its regulations.

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## **STR OCCUPANCY REGULATIONS**

Occupancy limits typically are regulated by the number of beds or bedrooms. For instance, Nashville, Tennessee sets the limit at twice the number of sleeping rooms plus four. New York City limits occupancy to two people, plus the resident landlord.

### **Town of Bozrah:**

- Maximum number per rental house determined by STR Enforcement Officer
  - Occupancy limit issued with town STR permit
  - Maximum number by ordinance:
    - Either all members of an immediate family (parents and children), or,
    - Five unrelated persons
    - Children under the age of 3 are not counted in occupancy limit

### **Town of Ledyard:**

- Maximum occupancy of rental unit is two people per provided bedroom
- Children over the age of 12 counted toward occupancy
- Unaccompanied minors shall not be permitted

### **Town of Preston:**

- Permit application asks for number of bedrooms, beds and desired max occupancy
- Application approved by the zoning commission, which sets occupancy maximum.

### **Town of Simsbury:**

- Six persons, or two persons per bedroom, whichever is less

### **Other Occupancy-Related Regulations**

- No outdoor parties or events at the STR
- No outdoor sleeping in tents
- All parking for tenants must be accommodated on the property

