

CHAPTER 78
SHORT-TERM RENTALS

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Section 78.1 Definition and Word Usage

As used in this Chapter, the following terms have the meanings indicated.

Short Term Rental – Shall mean any rental tenancy permitting occupancy of a residential dwelling unit by persons unrelated by blood or marriage to the owner of the property (or the tenant of the property) for less than 30 consecutive days.

Section 78.2 Requirements and Short-Term Rentals

In the R-2, R-3, and TC zoning districts, the use of a dwelling unit for short-term rental will only be permitted subject to the following registration, licensing, and other requirements set forth in this Chapter.

- A. All owners of a dwelling unit proposed for use as a short-term rental shall apply for an annual business license from the Town Office. If a property is transferred or if an annual license is not renewed, a new application is required. A business license shall be nontransferable. The business license may be renewed annually upon proof of current compliance with the requirements of this Chapter.

- B. The owner of the property intended for short-term rental occupancy shall be responsible for payment of the Kent County or Queen Anne's County Accommodations Tax, property specific to County agency.

- C. The owner of the property intended for short-term rental occupancy shall apply for a rental occupancy permit with annual inspections required with appropriate fee as adopted in the Fee Schedule of the Town of Millington.

- D. Issuance of a short-term rental license is subject to the following terms, conditions, and restrictions:
 - 1. Short-term rental licenses may be issued only to all holders of record of title, or a tenant pursuant to a written lease. A copy of such lease shall accompany the application. The record owners of the property must file a written consent to the use of the property for short-term rental purposes. The property owner or tenant shall provide proof of appropriate liability insurance coverage for rental use in the minimum amount of \$500,000 as a requirements of the lease.
 - 2. The property owners or tenant proposed to make short-term rental use of their property shall complete an application form provided by the Town of Millington for an annual business license and shall pay an application fee of \$25.00 per year.
 - 3. The property owners or tenant proposed to make short-term rental use of their property shall complete an application provided by the Town of Millington for an annual inspection of the property by the Town's approved inspection agency/code enforcement officer and shall pay an inspection fee of \$75.00 per year.
 - 4. Applicant shall provide the following additional information to the Town of Millington:
 - a. Certification that they can and will satisfactorily monitor the use of the short-term rental property by having either a principal residence in the Town of Millington or

by having made arrangements with an agent with either a principal residence in the Town of Millington or whose home or office is within Kent County or 25 miles of the short-term rental unit (resident agent). The name, address, and 24-hour phone contact information of the property owner and resident agent shall be provided with this application.

- b. Subsequent license renewals will require proof that all prior Kent County or Queen Anne's County Accommodations Taxes for the subject property have been paid.
5. Maximum occupancy shall be the lesser of 12 persons or two persons per bedroom excluding infants under 18 months of age. The maximum number of occupants shall be stated on the short-term rental registration, on the license, and in any short-term rental agreement.
6. Subleasing of short-term rentals by the short-term rental occupant shall be prohibited.
7. During any short-term rental, no dwelling, grounds, or associated appurtenances shall be used for reception, banquet, corporate retreat, fundraiser, or similar activity which shall exceed the maximum occupancy of the dwelling unit.
8. No more than one vehicle per unit associated with a short-term rental may be parked overnight upon a public street or in off-street parking.
9. All short-term rental properties shall comply with the Town's Property Maintenance Code, as amended, with respect to those sections addressing Emergency Escape and Rescue

Openings, Exits, and Smoke Alarms, and shall be equipped with fire extinguishers.

10. All record title holders of any property for which a short-term rental license is requested must jointly submit and execute the registration and license forms.
 11. No activity during any short-term rental occupancy shall be permitted which constitutes a public or private nuisance.
 12. A copy of the provisions of this Chapter shall be affixed to any short-term rental agreement to assure that the short-term occupants are aware of the conditions of their occupancy.
- E. The Town Office may decline to issue, or may suspend or revoke, a short-term rental license based on the following:
1. Any false, inaccurate, incomplete, or incorrect statement in any registration or application renewal.
 2. Any serious or related infraction, disturbance, nuisance, failure to monitor, or other problem or violation occurring during a short-term rental.
 3. Violation of any law or ordinance with respect to the short-term rental, or any term, condition, or restriction of the short-term rental license.
 4. Failure to pay the Kent County or Queen Anne's County Accommodations Tax.
- F. The Town Office may deny a short-term rental license, or limit the number of short-term rental license granted, in any particular

neighborhood, if, in the opinion of the town, there is insufficient parking to reasonably accommodate the vehicles of existing residents, together with the number of vehicles associated with the proposed short-term rental.

Section 78.3 Violations and Penalties.

Any violation of this Chapter 78 shall be considered a municipal infraction and any person violating any provisions of this section shall be assessed a fine of \$500 per day with each day considered a new violation.