

ARTICLE 39. SHORT-TERM RENTAL REGULATIONS

Section 1. – Registry.

1. Prior to utilizing any dwelling unit for short-term rental, a short-term rental operator shall apply to be registered by the Zoning Administrator who shall review the application for conformance with this article. Registrations shall be recertified yearly no later than January 31.
2. The registration form shall include the following information:
 - a. The name, telephone number, address, and email address of the short-term rental operator;
 - b. If the property shares a common wall or common driveway with another property owner, proof of written notification to such property owner(s);
 - c. The designation of a responsible party who will be available twenty-four (24) hours a day, seven (7) days a week, to respond to and resolve issues and complaints that arise during the period of time in which the dwelling is being used for short-term rental;
 - d. Certification that the short-term rental unit meets the requirements of this article and, as part of the registration, the operator is agreeing to permit inspections of the home (at reasonable times and after notice has been provided) to address complaints. Failure to permit such an inspection is grounds for registration suspension;
 - e. Proof of commercial general liability in a coverage amount of at least one million dollars (\$1,000,000.00).
3. Registration is not required for persons who are (i) licensed by the Real Estate Board or a property owner who is represented by a real estate licensee; (ii) registered pursuant to the Virginia Real Estate Time-Share Act (§ 55.1-2200); (iii) licensed or registered with the Department of Health, related to the provision of room or space for lodging; or (iv) licensed or registered with the locality, related to the rental or management of real property, including licensed real estate professionals, hotels, motels, campgrounds, and bed and breakfast establishments.
4. An operator's failure to register a short-term rental property prior to use shall result in a registration fee of \$500 as a penalty. Until the operator has completed registration, including payment of the registration fee, the property shall not be offered for short-term rental.
5. The owner or manager of any property actively providing room or space for dwelling, sleeping, or lodging purposes for fewer than thirty (30) consecutive days in exchange for a charge at the time of adoption of the article may register the property by no later than October 1, 2025, without incurring the penalty fee outlined in Section 1.4.

Section 2. - Occupation by property owner.

1. A short-term rental unit shall be located within the property owner's primary residence. Where the property owner is a legal person but not an individual, the short-term rental unit shall be located within the primary residence of the individual who manages the day-to-day operations of the owner, or who is a trustee or a beneficiary of the owner if the owner is a trust.
2. A special use permit shall be required for any short-term rental use wherein the short-term rental operator does not own and occupy the property as their primary residence unless such property actively provided room or space for dwelling, sleeping, or lodging purposes for fewer than thirty (30) consecutive days in exchange for a charge at the time of adoption of the article and provided the property is registered in accordance with Section 1 prior to October 1, 2025.
3. For purposes of this section, whether a dwelling unit is a property owner's or a qualifying individual's primary residence shall be determined by the records of the Virginia Department of Motor Vehicles or the Office of the Registrar of the City current as of the date of application to operate a short-term rental on such lot.

Section 3. - Safety.

1. Each short-term rental operator shall provide to the Zoning Administrator and conspicuously post within the short-term rental a floor plan of the layout of the dwelling unit, on which floor plan the short-term rental operator shall label the following:
 - a. The use of each room;
 - b. The occupancy level of sleeping rooms and cooking facilities;
 - c. The location and size of emergency egress and rescue openings; and
 - d. The location of fire and carbon monoxide detectors.
2. Smoke detectors, fire extinguishers, and carbon monoxide detectors shall be present and functional in compliance with the current edition of the Virginia Uniform Statewide Building Code.
3. The name and telephone number of the responsible party shall be conspicuously posted within the short-term rental unit.

Section 4. - Use standards.

Short-term rental uses shall adhere to the following:

1. Lodging accommodations shall be limited to primary structures;
2. The principal short-term renter shall be at least eighteen (18) years of age;
3. The number of overnight guests during a short-term rental shall not exceed the maximum number of occupants that would otherwise be permitted to reside in the dwelling by the Zoning Ordinance. The total occupant load of the dwelling at any one time during the rental shall not exceed six (6) unrelated adults;
4. No short-term rental operator shall agree to more than one booking transaction during the same period that results in reservations for two or more separately-booked short-term renters to occupy the same short-term rental at the same time;
5. No recreational vehicles, buses, or trailers shall be parked on the adjoining street or visible on the property in conjunction with the short-term rental use;
6. No signage may be placed on the exterior of a dwelling in conjunction with the short-term rental use;
7. The dates for trash and recycling collection shall be posted prominently within the short-term rental unit. Short term rental operators and/or renters shall be responsible for management of waste in accordance with Chapter 94 – Solid Waste of the City code;
8. No food shall be prepared for or served to guests by the property owner or short-term rental operator; and
9. No short-term rental operator shall offer, provide, advertise or permit use of a dwelling unit for any commercial use that is prohibited by law.

Section 5. - Short-term rental of multiple-family dwelling units.

For multiple-family dwellings, a maximum of ten (10) or one-third (1/3) of the dwelling units, whichever is lesser, on a lot shall be registered for short-term rental use unless the dwelling units used for such short-term rental are registered in accordance with Section 1 prior to October 1, 2025.

Section 6. - Revocation of short-term rental registration.

1. Registration approval for a short-term rental use can be revoked by the Zoning Administrator for the following reasons:
 - a. Failure to collect and/or remit any required taxes or to register and maintain a business license for the short-term rental use;
 - b. Three (3) or more substantiated claims of failure to maintain compliance with any of the regulations set forth in this article within a twelve (12) month period; and
 - c. The failure to abide by any other regulations set forth in the Zoning Ordinance or City Code
2. Before any revocation is made effective, the Zoning Administrator shall give written notice to the short-term rental operator. The notice shall be sent by certified mail and a copy of the notice shall be posted in a conspicuous place on the premises. The notice shall contain:
 - a. A description of the violation(s) constituting the basis of the revocation;
 - b. If applicable, a statement of acts necessary to correct the violation(s); and
 - c. A statement that if no request for appeal is made within thirty (30) days from the date of the notice, the registration will be revoked.
3. A short-term rental operator whose registration has been revoked pursuant to this section shall not be eligible to re-register for a short-term rental use for the remaining portion of the calendar year in which the registration is revoked, and for the entire succeeding calendar year. If a registration is reinstated and subsequently revoked for the same property, the Zoning Administrator may prohibit any subsequent registration of that property.

Section 7. - Petition for review of decision by Zoning Administrator.

1. Any short-term rental operator who is aggrieved by a decision of the Zoning Administrator to revoke registration approval may petition the Board of Zoning Appeals for review of such decision pursuant to the provisions of Article 27 within thirty days of the notice given by the Zoning Administrator.