

ADMINISTRATIVE RESOLUTION

AN ADMINISTRATIVE RESOLUTION TO STAY ENFORCEMENT OF TALBOT COUNTY CODE SECTION 190-33.20 (A) FOR CERTAIN SHORT-TERM RENTAL PROPERTIES

WHEREAS, Talbot County adopted a new framework for licensure of short-term rental properties in the fall of 2018; and

WHEREAS, Talbot County Code § 190-33.20 (A) provides:

License required. A license issued pursuant to § 190-63 of this chapter is required for all short-term rentals. Short-term rentals without such license are prohibited. *Anyone operating or advertising an unlicensed short-term rental on or after six months from November 10, 2018 shall be subject to a fine of not less than \$500 and shall not be entitled to apply for a short-term rental license for a period of 12 months from the date of such violation.* (emphasis added); and

WHEREAS, the legislative intention of Council for disallowing a property owner from applying for a short-term rental for a period of twelve (12) months was intended to penalize those property owners who were not currently licensed, yet were operating; and

WHEREAS, the six (6) month grace period before issuance of such violations was intended to allow property owners time to apply for and receive a license before being penalized for not operating within the law; and

WHEREAS, the process to obtain a license has taken longer than Council has anticipated, in some cases taking four (4) months to obtain an inspection for compliance with the building code, which is just one part of the process; and

WHEREAS, Council seeks to encourage timely compliance with the new licensure framework and not harshly penalize those property owners who are attempting to comply with the law and diligently seek renewal of their past licenses with a period of suspension; and

WHEREAS, Council wishes to stay enforcement of violations of Talbot County Code § 190-33.20 (A) for short-term rental properties that (1) the applicant held a validly-issued short-term rental license for the year 2018; (2) the applicant's 2018 license was not suspended or revoked due to a violation of the County's short-term rental code; (3) the applicant is diligently pursuing renewal of such license to operate

in 2019; (4) the applicant filed the renewal application before March 1, 2019; and, (5) the applicant has passed Talbot County Health Department potable water and sanitary facility inspections, as applicable, for the property during this period of transition to the new law; and

WHEREAS, the authority for the enactment for this Resolution derives from Section 202 of the Talbot County Charter, which provides that the County Council is responsible for the enforcement of the laws passed in the County.

NOW THEREFORE, BE IT RESOLVED, BY THE COUNTY COUNCIL OF TALBOT COUNTY, that:

SECTION ONE: For short-term rental properties that (1) the applicant held a validly-issued short-term rental license for the year 2018; (2) the applicant's 2018 license was not suspended or revoked due to a violation of the County's short-term rental code; (3) the applicant is diligently pursuing renewal of such license to operate in 2019; (4) the applicant filed the renewal application before March 1, 2019; and, (5) the applicant has passed Talbot County Health Department potable water and sanitary facility inspections, as applicable, for the property, Talbot County shall not issue the penalty of disallowing applications to be filed for a period of twelve (12) months for violations issued from the date of introduction of this Ordinance related to such properties' operation as a short-term rental property in violation of Talbot County Code § 190-33.20 (A) for so long as such properties are in compliance with the above provisions and until they have received their 2019 license to operate.

SECTION TWO: This Administrative Resolution shall become effective immediately.

GIVEN UNDER OUR HANDS AND THE
GREAT SEAL OF TALBOT COUNTY, THIS
27TH DAY OF AUGUST IN THE YEAR OF OUR
LORD TWO THOUSAND AND NINETEEN.

ADOPTED:

By the Council _____, 2019

Certified _____
Susan Moran, Secretary

Corey W. Pack, President

Chuck F. Callahan, Vice President

Frank Divilio

Pete Leshner

Laura E. Price