COUNTY COUNCIL

OF

TALBOT COUNTY, MARYLAND

2019 Legislative Session, Legislative Day No. : May 14, 2019

Bill No.: 1413

Expiration Date: July 18, 2019

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Lesher, Mr. Pack, Ms. Price

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ESTABLISH THAT THE BUILDING INSPECTOR CONDUCTING SHORT TERM RENTAL INSPECTIONS MUST BE INTERNATIONAL CODE COUNCIL CERTIFIED; TO CLARIFY THE PROCESS FOR PROVIDING NOTICE OF NEW LICENSE HEARINGS; TO MAKE THE DEFINITION OF "SHORT TERM RENTAL" CONSISTENT WITH THE OPERATING GUIDELINES FOR SHORT TERM RENTALS SET FORTH IN SECTION 190-33.20, WHICH PROVIDE FOR A THREE NIGHT MINIMUM STAY; AND, TO MAKE CERTAIN GRAMMATICAL CHANGES FOR EASE OF READING

By the Council: May 14, 2019

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, June 11, 2019 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran

Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ESTABLISH THAT THE BUILDING INSPECTOR CONDUCTING SHORT TERM RENTAL INSPECTIONS MUST BE INTERNATIONAL CODE COUNCIL CERTIFIED; TO CLARIFY THE PROCESS FOR PROVIDING NOTICE OF NEW LICENSE HEARINGS; TO MAKE THE DEFINITION OF "SHORT TERM RENTAL" CONSISTENT WITH THE OPERATING GUIDELINES FOR SHORT TERM RENTALS SET FORTH IN SECTION 190-33.20, WHICH PROVIDE FOR A THREE NIGHT MINIMUM STAY; AND, TO MAKE CERTAIN GRAMMATICAL CHANGES FOR EASE OF READING

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Chapter 190 of the *Talbot County Code* is hereby amended as follows:

KEY

Boldface.....Heading or defined term

Underlining .....Added by Bill

~~Strikethrough~~.....Deleted from law by Bill

* * * ..... Existing law unaffected

* * *

190-33.20. Short-Term Rental

* * *

C. OPERATING GUIDELINES

1. The maximum number of persons permitted to be on-site associated with any short-term rental shall be limited at all times to the lesser of 12 persons or two persons per bedroom in the primary dwelling, excluding infants under 18 months of age, and not including any bedrooms within an accessory dwelling.

* * *

9. The short-term rental property shall comply with the International Residential Building Code adopted by Talbot County, as amended, with respect to emergency escape and rescue

openings, exits and smoke alarms. The property shall be equipped with fire extinguishers in the kitchen and any other area in which flammable or combustible materials are kept or stored. All inspection reports shall be submitted to the Talbot County Department of Planning and Zoning on a form prepared and approved by the Planning Director. A third party International Code Council (ICC) certified building inspector may complete the form, or requests for County inspections must be accompanied by a $40 inspection fee. This fee may be reset and changed from time to time by the County Council through the fee schedule during the annual budget process.

* * *

190-63 Short-Term Rental Licenses and Review Board

* * *

I. Hearing and decision.

1. The Short-Term Rental Review Board shall hold a public hearing on all new license applications.
2. The hearing for new license applications shall be no sooner than 21 days from the date set forth in the certificate of service required under § 190-63.2.F.5 above.
3. The meeting shall be advertised through posting the property in accordance with § 190.54.5.B. The Code Compliance Officer shall be responsible for posting the property.
4. The meeting notice shall be sent by ~~certified~~ first class mail to the list of property owners who received the notice of the application. The applicant shall file a certificate of service with the Talbot County Department of Planning and Zoning promptly after sending out the meeting notice on a form prepared and approved by the Planning Director. The certificate shall be signed by the applicant; certify that the required notices were sent in accordance with this section; and include a list of all recipients and a copy of the notice.

* * *

190-78 Terms Defined

* * *

SHORT-TERM RENTAL

Any lease or other transfer of the right to occupy a dwelling unit other than a hotel, motel, inn, or bed-and-breakfast establishment, for not less than ~~one~~three nights and not exceeding 14 weeks.

* * *

TRANSIENT OCCUPANCY

Occupancy of a hotel or motel unit, inn, or bed-and-breakfast, ~~or licensed short-term rental~~ for short-term periods, not less than one night nor more than four months.

* * *

SECTION TWO: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

SECTION THREE: The Publishers of the Talbot County Code, the Talbot County Office of Law, or the Talbot County Department of Planning and Zoning, in consultation with and subject to the approval of the County Manager, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FOUR: This Ordinance shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. _____ having been published, a public hearing was held on _____ at ____ p.m. and on _____ at ____ p.m. in the Bradley Meeting Room, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: _____

By Order _____
Susan W. Moran, Secretary

Pack -

Callahan -

Price -

Divilio -

Lesher -

EFFECTIVE DATE: _____