



# WAITSFIELD PLANNING COMMISSION AGENDA

September 2, 2025 at 7:00 p.m.

## Planning Commission

Beth Cook  
Robert Cook  
Emma Hanson  
AnnMarie Harmon, Vice-  
Chair  
Becca Newhall  
Alice Peal  
Jonathan Ursprung, Chair

**THE PLANNING COMMISSION WILL BE HOLDING A HYBRID MEETING. THE PUBLIC MAY ATTEND IN PERSON AT WAITSFIELD TOWN HALL OR REMOTE VIA ZOOM WITH TELEPHONE AND/OR VIDEO ACCESS. THOSE PARTICIPATING MAY SPEAK DURING THE DESIGNATED PERIODS.**

To join the meeting remotely, use this link:

<https://us02web.zoom.us/j/9190265312>

**Meeting ID:** 919 026 5312

**Or call:** 1 929 205 6099

## Planning & Zoning Administrator

J. B. Weir

## Town Administrator

York Haverkamp

## Town Clerk

Jennifer Peterson

## Town Treasurer

Steve Lewis

## Waitsfield Town Office

4144 Main Street  
Waitsfield, VT 05673  
(802) 496-2218  
[www.waitsfieldvt.us](http://www.waitsfieldvt.us)

1. CALL TO ORDER / ROLL CALL
2. REVISIONS TO AGENDA, IF ANY (5 +/- min)
3. PUBLIC FORUM (10 +/- min)
4. APPROVAL OF MINUTES –AUGUST 19 (10 +/- min)
5. VILLAGE MASTER PLAN UPDATE (20 +/-min) AnnMarie/JB
6. CVRPC UPDATE (10 +/- min) Alice
7. WASTEWATER PLANNING PROJECT UPDATE (15 +/- min) JB/Bob
8. VERMONT LOCAL-LEVEL OUTDOOR RECREATION ECONOMIC IMPACT PROJECT (5 +/- min) JB
9. SHORT-TERM RENTALS (35 +/- min)
10. OTHER BUSINESS (10+/-min)
11. ADJOURNMENT

**Waitsfield Planning and Zoning Administrators Report  
Planning Commission September 2, 2025 meeting**

**5. Village Master Plan**

The Village Master Plan Steering Committee met on August 19<sup>th</sup> to discuss next steps and review a draft letter to Shannon Morrison which is included in the packet. The letter will also be sent to Laura Lapierre (Wetlands Program Manager, VTDEC), Misty Sinsigalli (Commissioner VTDEC), and Washington County representatives.

The next meeting of the VMPSC is to be determined.

The project website is up to date and can be found [here](#).

**2026 Municipal Planning Grant**

The 2026 Municipal Planning Grant application period has begun. The official FY 2026 program description is included in the packet.

State MPG funding for planning and resilience can pay for a variety of eligible projects, such as:

- A new or updated municipal plan;
- New or updated bylaws that that implement Act 47 of 2023 (HOME Act) and Act 181 of 2024 (Resilience, Biodiversity & Land Use Act), including zoning & subdivision bylaws;
- Climate resilience and flood recovery projects;
- Projects related to housing development;
- New or updated capital programs and budgets for infrastructure maintenance and improvements;
- Physical improvement plans, historic preservation bylaws, or other planning for a State Designation in coordination with Department of Housing & Community Development program staff; and
- Projects that support communities for all ages that align with Age Strong Vermont: A Roadmap for an Age-friendly State.

Individual towns may apply for up to \$30,000, and multi-town applications (a consortium) may apply for up to \$45,000. A local cash match of 10% of the total project costs is required, except for zoning/subdivision bylaw projects in municipalities without zoning/subdivision bylaws.

Application Schedule for FY2026 Grants:

- September 1, 2025: Online application opens
- October 31, 2025: Deadline for RPC confirmation of municipal planning process
- November 3, 2025: Application deadline, 6 p.m.
- Early December 2025: Award decisions
- Project completion: December 31, 2027 (2-year/24-month grant term to complete a project)

There has been discussion within the VMPSC as to how best this round of funding might apply to the master planning process. As mentioned at last meeting, we need clearer feedback from the Wetlands Division as to the path forward. There has been some thought as to using funding to engineer a new (and perhaps larger culvert) that crosses Carroll Road adjacent to the Town pond. The Town Administrator is looking at this – and other scenarios – for Community Development Block Grant (CDBG) Hazard Mitigation Funding. At a meeting on August 18<sup>th</sup>, Town staff met with the State to discuss what these monies could be used for. Funding applications for these monies are due at the end of September. This work could be tied into the master planning process and, perhaps, the fall round of MPG grants.

The Committee has reached out to the Department of Housing and Community Development regarding identified projects and housing development opportunities that could be a good fit for the Community Housing and Infrastructure Program (CHIP). The CHIP program has very potential utilization for implementing the master plan in Irasville.

While we don't have full clarity on the CHIP program yet, the lists below will give you an idea of what would be involved from the Town side of things to set up a CHIP project.

### **Application and Approval Process: Housing Development Plan and Housing Development Site (Draft)**

Create a housing development plan and housing development site:

- Develop a housing development plan, that includes:
  - Description of the proposed housing infrastructure project
  - Proposed housing development
  - Proposed housing development site, including anticipated floor area dedicated to housing. If less than 60%, a narrative about how this project meaningfully addresses the purpose of the program.
  - Identification of a sponsor
  - A tax increment financing plan, including:
    - a statement of costs and sources of revenue;
    - estimates of assessed values within the housing development site;
    - the portion of those assessed values to be applied to the housing infrastructure project;

- the resulting tax increments in each year of the financial plan and the lifetime education property tax increment retention;
- the amount of bonded indebtedness or other financing to be incurred;
- other sources of financing and anticipated revenues; and
- the duration of the financial plan.
- A pro forma projection of expected costs of the proposed housing infrastructure project
- A projection of the tax increment to be generated by the proposed housing development
- A development schedule that includes a list, cost estimate, and a schedule for the proposed housing infrastructure project and proposed housing development
- A determination by the legislative body of the municipality that the proposed housing development furthers the purpose of the program.
- Develop a housing development site by identifying its boundaries and the properties within it, titled “Proposed Housing Development Site [municipal name], Vermont”
- Hold one or more public hearings, after public notice, on the proposed housing infrastructure project, including the plans developed above
- Adopt the plan by action of the municipal legislative body and record it with the municipal clerk and lister.

#### **Application and Approval Process: Housing Infrastructure Agreement (Draft)**

- Create a Housing Infrastructure Agreement between the municipality and the project developer. The agreement must:
  - Identify the sponsor for the project
  - Identify the developer and housing development
  - Obligate the tax increments retained for financing and related costs for the infrastructure project
  - Provide that any housing unit within the housing development be offered exclusively as a primary residence until all indebtedness for the housing infrastructure project has been retired. This condition shall be satisfied by providing a landlord certificate or homestead declaration every 2 years.
- Provide for performance assurances to reasonably secure the obligations of all parties under the housing infrastructure agreement.
- The terms of this agreement must be noticed to the municipality before the municipal legislative body can sign on as a party.

#### **7. Wastewater Project Update**

The Town has received a package from USDA RD, which includes a mix loan and grant. Further details will be coming out in the near future as the Selectboard weighs funding options for the project. The Town has long been eligible for CWSRF construction loans at a low interest rate. There will be a wastewater project workshop on September 24<sup>th</sup> with members of the Selectboard and project team. The purpose of the workshop will be to bring the Selectboard up

to speed on where we are and what must be done to bring the project to fruition. This will be a warned meeting of the Selectboard.

Town staff is putting together a pre-application for the Northern Borders Regional Commission Catalyst Program for fall funding. Program details can be found [here](#). The pre-application deadline is August 29<sup>th</sup>. The Town will be putting in a request for \$1 million project segment that includes collection up to and including the Waitsfield Elementary School. The estimated cost of that phase – including the pump station and collection piping – is approximately \$2.5 million.

## **8. Vermont Local-Level Outdoor Recreation Economic Impact Project**

The PZA hopes to have an update on the pilot project at the meeting. The PZA has been out of town for the last two meetings and is awaiting an update from Joshua Schwartz. An email from SE Group is included in the packet. The PZA will reach out to SE Group to see if they would be willing to do a presentation for the PC at an upcoming meeting.

## **9. PC Work Plan – Short-Term Rentals**

The PZA has updated the PC work plan and it is included in the packet.

The Selectboard would like to begin discussion on short-term rentals (STRs) and a possible framework for registration and possible regulation. Although any regulation would be via Town ordinance, the Selectboard would like the PC to begin the process. This will entail thorough research and analyses of other STR frameworks across the State. Alice has been in close contact with the Selectboard on this matter and will likely be able to provide more detail on the discussions had thus far. Included in the packet are examples from other towns in Vermont. Members should review these different approaches, perhaps beginning with that of Warren as it seems to have the most support behind it from members of the Waitsfield Selectboard.

## **10. Other Business**

Just a reminder that, on October 27<sup>th</sup>, the Selectboard and Planning Commission will be holding a joint meeting for a presentation from the CRVPC on Future Land Use and the tiered designations. This will be a warned meeting and commissioners are encouraged to attend.

Jonathan may have an update on the Mad River Valley Planning District.

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Upcoming trainings/webinars:

VTDEC's Drop-In Discussions are informal gatherings on the third Thursday of the month from 9 – 10 am hosted by VTDEC's River Corridor and Floodplain Protection program. No registration is required. Come on by!

The discussions support the work of municipal officials who are responsible for floodplain and river corridor regulations, and others who are involved in the work of flood resilience in Vermont. To support casual dialogue the discussions are not recorded.

If you have questions about the event, or using Teams, feel free to reach out

toned.swanberg@vermont.gov or tessa.yip@vermont.gov

Future invitations to the Drop In Discussions will be posted to the Flood Resilience Listserv and also as News on [www.floodready.vt.gov](http://www.floodready.vt.gov)

And – let's talk about what's on your mind! Your feedback and suggestions are requested.

[Join the meeting now](#)

Meeting ID: 211 704 798 739

Passcode: N9BU9kf6

Dial in by phone

+1 802-828-7667,942347713# United States, Montpelier

Find a local number

Phone conference ID: 942 347 713#

Fall 2025 webinars by the Community Wildlife Program will be announced soon.

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Respectfully submitted,

J.B. Weir

**TOWN OF WAITSFIELD, VERMONT**  
**Planning Commission Meeting Minutes**  
**Tuesday, August 19, 2025**  
**Draft**

**Members Present:** Beth Cook, Bob Cook, Emma Hanson, AnnMarie Harmon, Alice Peal, Jonathan Ursprung

**Members Absent:** Becca Newhall

**Staff Present:** JB Weir, Zoning Administrator

**Others Present:** None

## **II. Regular Business**

### **1. Call to Order**

The meeting was called to order at 7:05 pm by Jonathan Ursprung. The meeting was held in person at the Town Offices and remotely via Zoom.

### **2. Review agenda for addition, removal, or adjustment of any items**

JB noted that there would be no Outdoor Recreation Project update.

### **3. Public Forum**

Nobody requested an opportunity to comment.

### **4. Approval of Minutes**

The Minutes of August 5, 2025 were amended and approved.

### **5. Village Master Plan Update**

AnnMarie reported on the Steering Committee (SC) meeting held earlier in the day, which she explained covered a recap on the wetland permitting process, a review of the draft Plan's progress, and presentation of a plan for finalization of the project. She and JB indicated that the final report will likely be available by the end of November.

Alex of SE Group explained during the SC meeting that it remains to be understood what the permitting process will be once the Plan is implemented, which includes a better understanding of DEC's perspective. The meeting also covered composing a response to the additional requirements that Shannon Morrison has presented. Alex outlined the comprehensive strategies and goals which are felt should be accepted by DEC, and a letter has been drafted summarizing the group's current understanding of the problem and laying out those strategies and goals. AnnMarie listed the parties who will be copied when the letter is sent to Shannon. The letter requests more concrete direction on moving forward with the Master Plan, as much of the work has been premised on Shannon's indicating in 2023 that no further Wetlands permitting will be approved in the Irasville area unless an overview, including enhancement plans, is presented. Wetland details in the letter include the intent to impact buffer areas of 15% of the low functioning wetlands in the area and ensuring that the remaining lower functioning and all the high functioning wetlands be protected in perpetuity.

It was noted that in communication with Mike of the Army Corps, he indicated that the hurdles are not very large, and that he is going to look into the percentage of acreage impacted and cumulative impact information. AnnMarie noted that hydrological information provided through an additional

study may be the basis for planning enhancement work in Waitsfield wetland rather than paying the Army Corps in lieu fees, and make it more straightforward for developers to take on some of what is outlined in the Master Plan.

Alice asked if other Irasville locations are included in the draft plan, and it was confirmed that the SC has been looking at the overall buildout of the area. This prompted some discussion regarding what Alice indicated was a potential for overdevelopment of the area, with the general opinion being that the plans for development should be moved forward through the coordinated approach anticipated through the Master Planning work, as the planning is taking a comprehensive view of the impacts to wetlands.

During the SC meeting, Alex also outlined possible implementation strategies utilizing PUDs, as well as the potential for use of CHIP funds once that program is implemented. Kaziah Haviland also pointed out the need for increased community communication and the potential for establishing a finance team/subcommittee. It was agreed that this communication will continue, particularly as there is now a more concrete plan in place to present and receive feedback for.

Alice noted that SLR Engineering may potentially provide information pertinent to wetland restoration work and related hydrology matters; AnnMarie noted that they will be included in notification of the RFP being published for the next Planning Grant, if awarded.

## **6. 2026 Municipal Planning Grant**

This topic was not discussed.

## **7. CVRPC Update**

Alice reported that:

- Regional Plan work is continuing, with Future Land Use mapping presentations taking place to provide information regarding Act 181, the new Tier system, and related topics. There is a session scheduled with the Selectboard on October 27. Alice will provide some background information prior to that meeting.
- Watershed Consulting has completed the study of the flood reconnection areas identified during work on the Local Hazard Mitigation Plan; they will be providing a report of their findings.
- Tri-Valley Transit is taking over the local bus routes in the coming months.
- The Meadow Road Bridge inspection was completed on July 29, and a report will be issued. The grant program through which an application was prepared several weeks ago is now accepting applications again, and Waitsfield's application will be submitted. VTrans may propose some temporary repairs which will buy time for the full engineering/scope of work to be completed.

## **8. Wastewater Planning Project Update**

JB explained that there was a delay in USDA offering a loan/grant package, but that there should be notification to the Town by the end of August. He also provided an update on the Northern Borders program, indicating that at this point there will not be another application submitted, due to the 50% match requirement. JB also noted that property owners interested in connecting to the system are being invited to meet in order to move toward finalizing plans.

## **9. Vermont Local Level Outdoor Recreation Impact Project**

No update was provided on this project.



**10. 2025 PC Work Plan**

Bylaw Update: Section 6.02(F) Garage Sales – JB explained that the Garage Sale Ordinance had been repealed by the Selectboard, and that the preference is to have the intent preserved in the Bylaws; he has suggested language to provide for this. It was agreed to add this item to the Work Plan.

Short-Term Rental Ordinance – Jonathan noted that the Selectboard has not asked for this work to begin yet, but suggested that PC members look at existing ordinances in other Vermont towns in preparation for future discussion.

**11. Other Business**

A reminder and encouragement to attend were offered for the CVPRC Land Use/Tier joint meeting with Selectboard scheduled for October 27.

**12. Adjournment**

The meeting adjourned at 8:55 pm.

Respectfully submitted,  
Carol Chamberlin, Recording Secretary

# IRASVILLE VILLAGE MASTER PLAN: PROJECT INFORMATION SHEET

August 2025

## Project Overview

Project Website: <https://storymaps.arcgis.com/collections/af47fecd1e3646a8ada69138fab98b18>

## Master Plan Objectives:

- » **Create more homes.** Identify pathways for the creation of a variety of new homes in Irasville to address the Mad River Valley's longstanding housing affordability and attainability challenges.
- » **Establish Irasville as a local and regional activity hub.** Enhance the village as a pedestrian-friendly destination to shop, dine, gather, and play as well as the jumping off point for nearby outdoor recreation.
- » **Living with wetlands.** Leave 100% of higher-functioning wetland areas and at least 85% of total wetland areas undeveloped while enhancing existing wetlands so there is no net loss of flood mitigation function.

## Core Elements of the Master Plan:

- » **Slow Road as a hub of future infill development.** Slow Road, with relatively low traffic and ample infill development sites, has long been envisioned as the future "Main Street" of Irasville. The plan will present conceptual designs and strategies for pedestrian-friendly infill development along Slow Rd.
- » **A connected multi-modal network.** The plan envisions new pedestrian facilities and trail system connections to improve village walkability and regional trail access.
- » **A suite of wetlands conservation/enhancement tools.** The plan will present an integrated approach for achieving desired infill development while protecting critical wetland functions.
- » **Infrastructure supports infill development.** The plan will leverage the forthcoming Waitsfield Community Wastewater System to support compact and walkable future development, limit sprawl, and protect adjacent waterbodies. This system is currently under development with support from State of Vermont through the American Rescue Plan Act Village Water & Wastewater Initiative and the Clean Water State Revolving Fund.
- » **A shared approach to parking.** To support compact infill development, the plan will present a comprehensive approach to parking that uses existing parking areas, limits new parking infrastructure to the extent feasible, and enhances pedestrian connections for a "park once and walk" experience.

## Project Status:

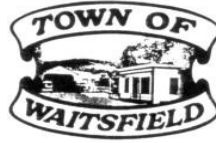
As of August 2025, we have completed two public open house events, prepared conceptual designs, engaged with relevant state agencies, and started the preparation of a draft planning document. Plan finalization is anticipated in late fall of 2025.

## Contact:

JB Weir, Town of Waitsfield Planning & Zoning Administrator | [jb.weir@waitsfieldvt.gov](mailto:jb.weir@waitsfieldvt.gov)



*Conceptual design for mixed-use development and active streetscape along Slow Rd.*



8/22/2025

**To:** Shannon Morrison, ANR Wetlands Management Division

**Attachments:**

Irasville Village Master Plan Project Information Sheet

DRAFT Irasville Future Development Scenarios – Conceptual Designs

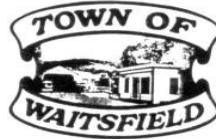
**Re: Irasville Village Master Plan – Follow Up on Recent Communications**

Dear Shannon,

We are following up on our May 20<sup>th</sup> meeting and subsequent email communications on the Irasville Village Master Plan. We feel we are still missing critical clarity from you that will allow us to move this planning process forward in a productive direction. At the end of this letter we outline a specific request that will help us move forward with this important plan.

To summarize and reiterate our current position:

- Irasville has long been identified as the growth center for the Mad River Valley in local and regional planning efforts, including the current Waitsfield Town Plan. The growth of Irasville as a regional hub is essential to addressing our housing shortage, limiting sprawling development that threatens the character and environment of the Mad River Valley, focusing future development in areas that are not flood prone, and supporting the Valley's emerging four-season outdoor recreation economy as a changing climate threatens the future of snow-based recreation that our town and region rely on.
- There is significant local momentum and State-level support for moving forward on this vision of Irasville as the Valley's live-work-play hub. The following recent and ongoing initiatives demonstrate this momentum:
  - Advancing the [Waitsfield Community Wastewater Project](#) to provide wastewater service to Irasville. Waitsfield voters supported this project through a \$15 million bond vote, and the State of Vermont has contributed funding through American Rescue Plan Act Village Water & Wastewater Initiative and Clean Water State Revolving Fund. The project is currently progressing through final design.
  - Opening the [Mad River Valley Recreation Hub](#) in 2024, an integrated visitor center, bike shop, brewery, and trailhead that positions Irasville as the jumping off point for local outdoor recreation activities. The Vermont Outdoor Recreation Economic Collaborative supported this project through its Community Grants program.
  - Revising zoning bylaws for Irasville Village in 2024 in accordance with S.100 (the "HOME" Bill) to support dense, walkable development patterns. The Agency



of Commerce and Community Development (ACCD) funded this project through a Municipal Planning Grant.

- Securing a Neighborhood Development Area designation in 2024 from the Vermont Downtown Board.
- These initiatives are in furtherance of recent State policy changes to address Vermont's housing needs, including Act 181, which reduces Act 250 barriers to infill development in village and downtown areas, and S.127/Act 69, which provides new financial tools for municipalities to develop or enhance critical infrastructure that directly supports new housing development.
- Previously, you had communicated to Town staff, Mad River Valley Planning District staff, and a group of private property owners in Irasville that an area-wide master plan identifying the limits of future wetlands impacts in the Irasville Village area was needed before you would consider future wetland permit applications for development projects in Irasville. We agree about the need to conserve critical wetland functions in Irasville and agree about the value of having this plan in place. That said, it has never been clear to us that DEC/ANR has the authority to decline to consider a permit application for an individual property owner on the basis of needing an area-wide master plan covering other separately-owned properties, and have been concerned about the impacts of this blanket requirement on local momentum and timelines for infrastructure improvements.
- Following this discussion, the Town received a Municipal Planning Grant from ACCD, assembled an ad-hoc steering committee, and secured the services of a consultant (SE Group) to prepare a comprehensive plan for Irasville Village (**see attached information sheet**). Through this process, the Town and its partners are examining potential future development scenarios (including limits of future development that might impact wetlands), infrastructure needs, and wetlands conservation and enhancement strategies. We have completed conceptual design work and public engagement and are beginning to build a draft of the final plan.
- We met with you at the beginning of this planning process in June 2024 and again in May 2025 for a project update. In our May 2025 meeting, you provided useful feedback on wetlands conservation priorities and strategies that we are incorporating into the draft plan. However, we came away uncertain about what exactly your expectations were for this plan and what is needed to allow future wetlands permit applications to move forward.
- In the May 2025 meeting we also discussed a central plan goal of establishing a "Main Street" along Slow Rd in Irasville – something we see as an essential part of Irasville's success as a vibrant and walkable regional hub. For this project, which would likely be developed in phases by multiple different property owners, you expressed your preference for the development of a subsequent master agreement (following the completion of this current planning process) between multiple property owners that



would identify all potential projects with wetlands impacts, identify wetlands mitigation projects, and implement these mitigation projects, all before any development moves forward. This was new information to us and, in our view, would represent a significant additional requirement on top of what was initially requested in terms of an area-wide master plan for Irasville.

- In a follow-up email to you, we expressed concerns with the costs and delays this approach would introduce, including potential impacts to the funding and financial health of the forthcoming community wastewater system and other coordinated infrastructure improvements. We are also concerned that, by agreeing to this request, there would be an indefinite extension of the current “pause” on wetlands permit applications for these properties with increasingly difficult conditions to meet to end the “pause.” In our response, we requested that you provide input on other potential pathways for the Town and its partners to move forward on this project. We did not feel that your subsequent reply provided clarity on this request.
- For projects on one or more properties under common ownership with one entity, we are familiar with an applicant providing, as part of a wetlands permitting process, a long-range master site plan with all potential future site improvements to support a fully informed permit review process. We are not as familiar with an approach where multiple property owners are bundling multiple unrelated projects, aligning project timelines while individually securing financing, and jointly committing funds and implementing mitigation projects before any individual project can move forward. We imagine that this would be very difficult to achieve in normal market conditions, let alone current markets with significant uncertainties and escalating costs of goods and services.
- Please let us know if you feel we have misstated or misrepresented any of the above.

To summarize: we have been moving forward with a project to complete a master plan for Irasville Village that will satisfy your request for an area-wide master plan. We are still lacking clarity on exactly what this plan needs to provide to allow future wetland permits in Irasville to receive consideration. We are also concerned about the recent identification of potential additional requirements that could add significant delays to our efforts and threaten the economic viability of critical future development projects.

**At this stage, we have the following request: please let us know if the following plan goals and strategies for the Irasville Village Master Plan would be satisfactory to your request for an area-wide plan and sufficient to allow future permit applications to be considered.**

We feel that these goals and recommendations represent a significant commitment on behalf of the Town and its partners to protecting wetland function while advancing our community and economic development goals. We hope these goals and strategies, along with the conceptual design scenarios that we have prepared (see attached), are sufficient to inform consideration of future wetlands permit applications.

**Wetlands Conservation & Enhancement Goals:**



- 100% of *higher-function* wetland areas in Irasville remain undeveloped in perpetuity. Higher-function wetlands are defined as wetlands that received moderate or high flood mitigation function scores in the 2021 Irasville wetlands assessment conducted by Arrowwood Environmental.
- At least 85% of *total* wetland areas in Irasville remain undeveloped in perpetuity, with all development impacts occurring in lower-functioning wetlands (as identified in the 2021 Irasville wetlands assessment conducted by Arrowwood Environmental).
- Wetland buffers for higher-functioning wetlands are improved and/or expanded.
- Wetland functions, in particular flood mitigation functions, are improved for remaining lower-function wetlands.
- There is no net loss of flood mitigation function of wetlands in Irasville affecting the main stem of the Mad River.

#### **Wetlands Conservation & Enhancement Strategies:**

- Conserve remaining wetland areas through conservation easements, conditions of development approvals for projects impacting lower-function wetlands, and fee-simple acquisition of targeted properties. *We have engaged with local property owners who have expressed interest in putting wetland areas into conservation in support of this goal.*
- Enhance flood mitigation functions of remaining lower-functioning wetlands through plantings, reduced channelization, and other restoration efforts. *Our community partner, Friends of the Mad River, will assist in this effort through engagement with local property owners.*
- Commission further studies to model the localized effects of potential wetlands impacts and identify opportunities for wetlands enhancements and flood mitigation projects upstream of Irasville in the Mad River watershed. *The Town of Waitsfield anticipates applying for Municipal Planning Grant funds to support this work.*

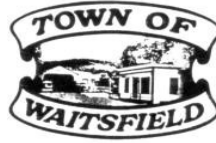
Once we have your feedback, we will incorporate wetlands goals and strategies into the draft plan and provide it to you to review so that you are able to see how these goals and strategies are presented. We encourage you to provide input from other staff at ANR as well. We look forward to hearing from you and furthering our partnership in support of a vibrant and healthy Irasville Village.

Sincerely,

JB Weir, Planning & Zoning Administrator, Town of Waitsfield on behalf of the Village Master Plan Steering Committee

Cc:

Laura Lapierre, Wetlands Program Manager, Vermont DEC



Misty Sinsigalli, Commissioner, Vermont DEC

Sen. Ann Cummings, Washington District

Sen. Andrew Perchlik, Washington District

Sen. Anne Watson, Washington District

Rep. Candice White, Washington-2

Rep. Dara Torre, Washington-2

Town of Waitsfield Selectboard

**From:** [Lydia Jankowski](#)  
**To:** [Waitsfield PZA](#); [Joshua Schwartz](#); ["Sam Robinson"](#); [Trevor Lashua](#)  
**Cc:** [Dagger, Jackie](#); [Alex Belenz](#)  
**Subject:** PILOT COMMUNITY DATA DEADLINE: Vermont Outdoor Economy Toolkit  
**Date:** Wednesday, August 27, 2025 10:31:41 AM  
**Attachments:** [image.png](#)  
[Pilot Community Feedback Questions.pdf](#)

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Dear Waitsfield Team,

We are nearing the conclusion of the pilot process for the Vermont Local-Level Outdoor Recreation Economic Impact Toolkit. As part of your participation, we ask that you share any data you have collected during this process (that you haven't already shared) by **Tuesday, September 2<sup>nd</sup> (Extended from original August 27<sup>th</sup> deadline)**. This may include completed foundational assessments, inventories, original data or feedback on your experience using specific tiers or guidance.

Our team will integrate the information you provide into a brief summary report tailored for your community. This report will not only serve as a resource for you but will help inform the work of other communities that use the toolkit.

In addition, we ask that you respond to the attached feedback questions and return your responses via email by **Tuesday, September 2<sup>nd</sup>**.

Over the coming month, we will be finalizing the toolkit. The final version will be a web-based, interactive tool with an adapted structure that builds on the draft version you have been working with. Your feedback throughout this process has directly influenced the creation of the final toolkit, and has been invaluable in making it more user friendly and relevant to Vermont communities. Just because the pilot process is ending, does not mean your work on the outdoor recreation economy has to stop. We hope you will continue to use the toolkit as a valuable resource in your community or region moving forward.

Thank you again for your time, insights, and commitment throughout this process. We look forward to sharing both your summary report and the finalized toolkit with you later this fall.

Best,  
Lydia

**Lydia Jankowski** (she/hers)  
Community & Recreation Planner



802.264.0355



## 2025-2026 WAITSFIELD PLANNING COMMISSION WORK PLAN

	Tasks	Project	Timeline
		<b>Village Master Planning</b>	
<b>1</b>	<b>Irasville Master Planning</b>	This project will incorporate the updated wetland maps and include a review of the history of planning in Irasville. Segue from the By-Laws Modernization Grant work and Wastewater project.	In process through end of 2025
<b>2</b>	<b>FY 2026 MPG - Irasville Master Planning</b>	Phase 2 of Irasville Master Planning Project to study wetlands etc.? Depends on stance of Wetlands Division? Perhaps alternative methods of funding for pure hydrologic study?	2026-2027
		<b>Zoning and By-Laws</b>	
<b>1</b>	<b>GPOD</b>	Groundwater Protection Overlay District to be adopted to protect certain land radii around the Town aquifer off Reed Road. The PC held a public hearing in February approving the overlay district and forwarding it to the SB for its own adoption in July.	Complete
<b>2</b>	<b>Limited Business District</b>	Reviewing standards and purpose. Numerous people have approached the PZA with regard to developing housing in this area. As it stands, residential development is deterred in this area. However, given the proximity to the Town's future disposal field, future phasing of the wastewater system could allow for connections in this area.	
<b>3</b>	<b>ADU restrictions</b>	Review and update the 30% threshold for ADUs as this restriction is less common; PZA has email into counsel as to status of this standard in the post-HOME ACT era. Per SE Group: CU for ADU above 900sqft/30% makes little sense now that 2-4 units are allowed outright w/ no size limit.	

<b>4</b>	<b>Section 6.02 (F) –</b> Exemption for garage/yard sales	Town Garage Sale Ordinance repealed 8/11/25; Section 6.02 (F) must be revised to accord to intent and removal of ordinance mention	2025
<b>5</b>	<b>Act 250/LURB/Act 181 Tiers</b>	Assess impacts of changes to Act 250 in addition to Act 181's tiered framework and discuss whether updates to the Zoning Bylaws are necessary or required	
		<b>Town Plan Update</b>	
<b>1</b>	<b>Childcare</b>	Update Childcare language per CVRPC feedback	2026
		<b>Town Ordinances</b>	
<b>1</b>	<b>STRs</b>	Work with the Selectboard to draft a possible framework for registering/regulating short-term rentals	2025-2026

**ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM RENTALS**  
**Town of Londonderry, Vermont**

**ARTICLE 1. AUTHORITY.** Under authority granted in 24 V.S.A. § 2291(29) and 24 V.S.A. § 1971 *et seq.*, and other such general enactments as may be material hereto, it is hereby ordained by the Selectboard of the Town of Londonderry that the following civil ordinance requiring the annual registration of all short-term rentals operating within the town (which may also be referred to as the "Short-Term Rental Ordinance") is adopted for the Town of Londonderry, Vermont.

**ARTICLE 2. PURPOSE.** The purpose of this Ordinance is to promote and protect the public health, safety, welfare, and convenience of the town, to preserve residents' rights to quiet enjoyment of homes and properties, and to ensure the safety of occupants of short-term rentals. The Londonderry Selectboard hereby find that unregulated short term (i.e., less than 30 day) transient occupancy of dwelling units in residential neighborhoods presents a threat to the public welfare relating to compatibility with residential uses and preservation of the character of the neighborhoods in which they are located, and to the availability of housing stock in the town. Unregulated short-term rentals have negative secondary effects on residential areas, with such areas experiencing heightened adverse impacts from parking, garbage, noise and outdoor/nighttime activities. These negative effects, when left unchecked, injure and degrade the community as a whole and constitute a public nuisance. The purposes of this Ordinance are: (a) to balance the desire of property owners to rent their residential properties to short term rental guests for compensation against the desire of residents to preserve the traditional peace and quiet of their residential neighborhoods; (b) to preserve and protect residential neighborhood character and livability from the nuisance impacts that are often associated with short term rentals; (c) to limit or prevent long term rentals from being replaced with short term rentals; (d) to ensure the safety of occupants of short term rentals and the well-being of the community; and (e) to promote the public health, safety and welfare of the Town, its residents and visitors.

**ARTICLE 3. DEFINITIONS**

- A. "Operator" means a person who operates or manages a short-term rental. The operator/person shall be defined as an individual, a married couple, one or more family members living in the same household, a corporation, a partnership, or Limited Liability Company ("LLC") or other LLCs with overlapping members, all of which shall be deemed an operator, but which shall exclude from the definition any tenant or lessee of a lease.
- B. "Short-term rental" or "STR" means a dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year, and is either:
1. "Hosted" meaning a room or group of rooms located within an Operator's primary residence or an accessory dwelling or cabin on the premises of the Operator's primary residence; or,

- 2. “Unhosted” meaning a furnished house, condominium, apartment, or an accessory dwelling or cabin that is not the Operator’s primary residence or located on the premises or property of the Operator’s primary residence.
- C. “Dwelling unit” means a room or rooms connected together containing cooking, sanitary and sleeping facilities that constitute a separate, independent housekeeping establishment. It shall include prefabricated modular units and mobile homes, but shall not include a motel, boarding house, shelter or similar structure.
- D. “STR Administrator” means a person or persons designated by the Selectboard of the Town of Londonderry to administer and enforce this Ordinance.
- E. “Bed and Breakfast”, “Boarding House”, “Motel” and “Inn” shall have the same definitions as contained in the Town of Londonderry Zoning Bylaw as amended from time to time. This Short-Term Rental Ordinance shall not apply to Bed and Breakfasts, Boarding Houses, Motels and Inns which have zoning permits issued pursuant to the Town of Londonderry Zoning Bylaw and Ordinance.
- F. “Lot” means a parcel of land undivided by any street or road, and occupied or to be occupied by only one primary structure or principal use and the accessory buildings or uses customarily incidental to such structures or uses. A lot shall be of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yard and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or other means of access approved by the Planning Commission. In no case shall the division or combination of land result in the creation of a parcel which does not meet the requirements of this Bylaw.

#### **ARTICLE 4. SHORT TERM RENTAL REGISTRATION.**

- A. The short-term rental of a dwelling unit requires the annual issuance of a Short-Term Rental Registration from the STR Administrator. A person shall not commence the use of a dwelling unit as a short-term rental unless and until the STR Administrator issues the requisite Short-Term Rental Registration.
- B. Any application made by a person other than a single individual must detail the other members of any Corporation, LLC, or Partnership (“Common Ownership”), and any out-of-state entity must provide a valid and current copy of the articles of organization for the entity.
- C. All STRs must be offered via an STR rental platform to satisfy any reporting requirements and the payment of any municipal, state and federal taxes. The operator must also have a Vermont Meals and Rooms Tax account and post the number on any advertisements for the STR.
- D. Operators of three or more STRs must show proof of registration with the Corporations Division of the office of the Vermont Secretary of State.
- E. The dwelling unit overnight capacity of a short-term rental shall be a maximum of two occupants for every bedroom indicated in the Town Listers property database for the

dwelling unit, plus an additional two occupants. For example, a three-bedroom dwelling unit shall have a dwelling unit capacity of eight persons ((3 bedrooms X 2) + 2) when used as a short-term rental. An owner shall not advertise or permit occupancy by more than the capacity set forth in this section.

- F. An operator shall provide the following information in an application for Short-Term Rental Registration for dwelling units with an occupancy of 8 or less, on a form provided by the Town:
1. The number of bedrooms to be rented and the requested dwelling unit capacity to be approved in the Short-Term Rental Registration.
  2. The Operator's name, mailing address, email, and a cell phone number or other number (such as a property management company) that will be answered 24 hours a day during the time that the short-term rental unit is being rented.
  3. The property owner's and, if applicable, tenant's name, address, phone number, email, date of birth, driver's license and license state, and military status (active or not), and if the owner is a corporation, the registered corporate agent and president of the corporation and their name and address, and if the owner is a partnership, the registered partnership agent and the names and addresses of the general partners (information that is needed to enforce a municipal complaint before the Judicial Bureau).
  4. Property owners who are not in residence at the property the entire time it is being rented shall designate and provide the name and contact information of a designated agent located in Windsor, Bennington or Windham Counties who shall be responsible for responding to emergency situations occurring at the Short-term rental dwelling unit.
  5. The Posting of Contact Information required by 18 V.S.A. § 4467 within the Short -term rental dwelling unit.
  6. The education materials required by 18 V.S.A. § 4468(a), including without limitation the self-certification form pertaining to health and safety precautions that Operators must take into consideration prior to renting a dwelling unit required by 18 V.S.A. § 4468(b).
  7. Confirmation of liability insurance of not less than \$1,000,000 to cover each short-term rental unit, unless such short-term rental is offered through a hosting platform that maintains equal or greater coverage, and that the liability insurance policy that covers the dwelling unit extends bodily injury and property damage insurance coverage that occurs during or as a result of the use of the dwelling unit as a short-term rental.
  8. Proof, satisfactory to the Town, that the Operator has obtained and performed all necessary licensing and registrations with the State of Vermont Department of Health, Division of Fire Safety and Department of Taxes necessary to operate a Short-term rental. A short-term rental is a "public building" as defined by 20 V.S.A. § 2730, subject to inspection and regulation by the Vermont Division of Fire Safety. An owner shall provide to the STR Administrator proof of satisfactory inspection results for the most recent inspection required by the Vermont Division of Fire Safety prior to the first

- occupancy by an occupant as defined in this Ordinance, and with each annual registration of the short-term rental.
9. Annually, beginning with the first renewal of said registration, the Operator shall file with the Town an accounting/printout of the total number of days the property was rented on a short-term basis during the previous year. Failure to submit said accounting/printout will result in the renewal registration being denied.
- G. An application for Short-Term Rental Registration, for dwelling units with a capacity of greater than 8 occupants, shall require compliance with subsection D above, plus the following:
1. Confirmation that the septic capacity is at least equal to the requested short-term rental dwelling unit capacity. This shall be evidenced by a) a valid State of Vermont Wastewater and Water Supply Permit for the property for dwelling units or wastewater and water supply systems constructed, modified or occupied after June 30, 2007, OR, b) a local zoning or septic permit for dwelling units constructed before July 1, 2007 indicating the number of bedrooms permitted, OR, c) by the number of bedrooms indicated in the listers property database if a local zoning or septic permit does not exist for dwelling units constructed before July 1, 2007.
  2. An inspection report with occupancy approved from the State of Vermont Division of Fire Safety for the requested short-term rental dwelling unit capacity.
- H. No registration for the short-term rental of a dwelling unit shall be issued unless the applicant has complied with subsection D above (for dwelling units with an occupancy of 8 or less) or has complied with subsection E above (for dwelling units with a capacity of greater than 8 occupants).
- I. Short-Term Rental Registrations shall expire on June 30 of each year and require renewal to continue use of a dwelling unit as a short-term rental. In the event that a property for which a Short-Term Rental Registration has been filed is transferred or conveyed to a new property owner, the new owner/operator shall file a new application for a new Short Term Rental registration.
- J. The number of lessees, guests, or other persons using a dwelling unit pursuant to the short-term rental lease or other agreement with the Operator shall not exceed the approved dwelling unit capacity on the Short-Term Rental Registration.
- K. This occupancy standard is for overnight guests and is not intended to unreasonably limit visitors to the property.

**ARTICLE 5. FEES.** A fee shall be paid to the Town of Londonderry with the submission of any Short-Term Rental Registration application or annual renewal, regardless of date of registration. The fee shall be in an amount as determined by the Selectboard which may, from time to time, modify this fee and may establish and adopt other fees related to the administration and enforcement of this Ordinance, and may incorporate all such fees into a duly adopted fee schedule.

**ARTICLE 6. RESERVED.**

**ARTICLE 7. ENFORCEMENT.** A short-term rental shall be made available by the owner for inspection within one week of a request by the STR Administrator. Any person who violates a provision of this Ordinance shall be subject to a civil penalty of up to \$800 per day for each day that a violation continues. Each day the violation continues shall constitute a separate offense. The STR Administrator and the Londonderry Zoning Administrator, along with the Selectboard and Town Administrator, shall all be designated and authorized to act as Issuing Municipal Officials to issue and pursue complaints before the Judicial Bureau, or other court having jurisdiction.

**ARTICLE 8. WAIVER FEES.** An Issuing Municipal Official is authorized to recover waiver fees, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Waiver fee for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements.	\$125 per day	\$250 per day	\$500 per day	\$650 per day plus revocation for twelve months before a new Short-Term Rental Registration application may be submitted. The revocation can be appealed.
Waiver fee for all other violations.	\$150 per day	\$350 per day	\$600 per day	

Offenses for the purpose of calculating waiver fees shall be counted on a twelve-month basis, beginning on July 1 and ending on June 30 of each year. An Issuing Municipal Official shall have authority to issue a written warning, without recovering a waiver fee, for any First Offense violation. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses.

**ARTICLE 9. PENALTIES.** An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements.	\$200 per day	\$400 per day	\$650 per day	\$800 per day plus revocation for twelve months before a new Short-Term Rental Registration application may be submitted. The revocation can be appealed.
Fine for all other violations.	\$250 per day	\$500 per day	\$750 per day	



Offenses for the purpose of calculating penalties shall be counted on a twelve-month basis, beginning on May 1 and ending on April 30 of each year. An Issuing Municipal Official shall have authority to issue a written warning, without recovering a civil penalty, for any First Offense violation. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses. Failure to timely pay a penalty upon entry of judgment under 24 V.S.A. § 1981 shall result in the automatic suspension until paid of any approved Short-term rental registration(s) registered to the person against whom the civil judgment has been entered including registrations for any other Short-term dwelling units owned or operated by the person and located within Londonderry.

**ARTICLE 10. OTHER RELIEF.** In addition to the enforcement procedures available under Chapter 59 of Title 24, the Londonderry Town Administrator is authorized to commence civil action in the Civil Division of the Vermont Superior Court to obtain injunctive and other appropriate relief, to request revocation or suspension of any Short-Term Rental Registration on behalf of the Londonderry Selectboard, or to pursue any other remedy authorized by law.

**ARTICLE 11. OTHER AUTHORITIES NOT PREEMPTED.** This Ordinance is not intended to preempt or be exclusive with regard to any other permitting or regulatory law or authorities that pertain to the ownership, operation, management or use of property or dwelling units engaged in Short-term rentals.

**ARTICLE 12. SEVERABILITY.** The provisions of this ordinance are declared to be severable and if any provisions hereof be adjudged invalid such judgment shall not affect the validity of any other provisions.

**ARTICLE 13. DESIGNATION.** This ordinance is hereby designated as a civil ordinance pursuant to Title 24, Vermont Statutes Annotated Section 1971(b), and may be referred to as the Short-Term Rental Ordinance and in a prosecution hereunder a copy of such ordinance, certified by the Londonderry Town Clerk shall be prima facie evidence thereof. An allegation that the act constituting the offense charged is contrary to a specified provision of this ordinance shall be a sufficient reference hereto.

**ARTICLE 14. PUBLICATION AND POSTING.** This Ordinance and any subsequent amendment of this ordinance, or a concise summary thereof, shall be published in a newspaper of general circulation in Londonderry, within fourteen (14) days of its adoption, and shall be filed with the Town Clerk and posted at five (5) conspicuous places within the community.

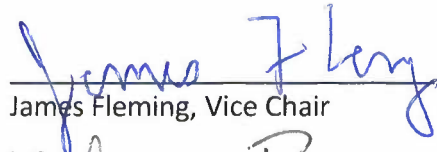
**ARTICLE 15. RIGHT OF PETITION.** Notice is hereby given of the right to petition for a permissive referendum vote on this ordinance at an annual or special meeting as provided for in 24 V.S.A. § 1973. Such petition for a permissive referendum must be signed by not less than five (5) percent of the qualified voters of the Town of Londonderry and shall be presented to the Selectboard or the Town Clerk within forty-four (44) days following the date of adoption.


**ARTICLE 16. EFFECTIVE DATE.** Unless a petition is filed in accordance with 24 V.S.A. § 1973, the Ordinance shall become effective sixty (60) days after its adoption. However, the Short-Term Rental registration requirements under Article 4 shall not take effect until July 1, 2024, though registration applications may be accepted by the STR Administrator beginning April 1, 2024.

**Adopted by the Town of Londonderry Selectboard at its meeting held on the 19th day of December, 2023.**

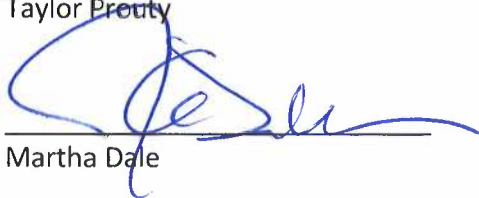
**Town of Londonderry, Selectboard**

  
Thomas Cavanagh, Chair

  
James Fleming, Vice Chair

  
Taylor Prouty

  
Melissa Brown

  
Martha Dale

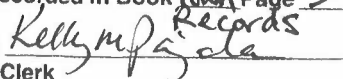
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Posted on December 27, 2023 at:

- Town of Londonderry Website ([www.londonderryvt.org](http://www.londonderryvt.org))
- Londonderry Town Office
- Londonderry Transfer Station
- Londonderry Post Office
- South Londonderry Post Office
- South Londonderry Free Library



Shane O'Keefe, Town Administrator

Londonderry, VT Town Clerk's Office  
Received for Record  
December 27<sup>th</sup> A.D. 2023  
at 12 o'clock 15 minutes PM  
and Recorded in Book Town Page ✓  
Attest   
Town Clerk



# Village of Manchester, Vermont

PO Box 482  
Manchester, Vermont 05254-0482  
(802) 362-1515

## **NOTICE**

Pursuant to State of Vermont statute 24 V.S.A. § 1972, the Village of Manchester is required to post the attached Board of Trustee approved Ordinance within 14 days of the Board of Trustee approval. The Board of Trustees approved the Short-Term Rental Ordinance on Monday, December 4, 2023. The approval is part of the minutes for this meeting.

This Ordinance was posted in five (5) places in the Village of Manchester on Thursday, December 7, 2023.

Village voters may petition for a vote on this Ordinance to take place at an annual or special meeting as provided in 24 V.S.A. § 1973.

Should no petition be filed according to 24 V.S.A. § 1973 by January 20, 2024, the attached Ordinance will become effective on February 5, 2024.

Please phone the Village Office with questions.

Respectfully submitted,  
Missy Johnson  
Assistant Clerk

## **SHORT-TERM RENTAL ORDINANCE**

The Trustees of the Village of Manchester, Vermont, acting under the authority of 24 V.S.A. 2291(29), hereby adopt and ordain this ordinance regulating certain Short-Term Rentals in the Village of Manchester.

### **SECTION 1: PURPOSE**

- 1.1. This Ordinance is adopted to protect and preserve the character of the Village of Manchester; to promote health, safety, and welfare; and to further the purposes of the Village Plan and 24 V.S.A. Chapter 117.
- 1.2. This Ordinance may be referred to as the “Short-Term Rental Ordinance” for the Village of Manchester, Vermont.
- 1.3. This Ordinance is designated as a civil ordinance under 24 V.S.A. § 1971 and shall be enforced in accordance with the provisions of 24 V.S.A. § 1974a and other applicable provisions of law.

### **SECTION 2: DEFINITIONS**

As used in this Ordinance:

- 2.1. “Short-term rental” means in accordance with 24 V.S.A. § 2291(29) “a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.”
- 2.2. “Owner” means an owner of a property meeting the definition of a short-term rental stated in this Ordinance.
- 2.3. “Occupant” means (i) a person who rents a property as a short-term rental, and (ii) each person who is present at a short-term rental by permission or invitation of a person renting the property as a short-term rental.
- 2.4. “STRO” means the Short-Term Rental Officer serving pursuant to Section 3 of this Ordinance.

### **SECTION 3: SHORT-TERM RENTAL OFFICER**

The Short-Term Rental Officer (“STRO”) of the Village of Manchester shall be appointed by the Board of Trustees (“BOT”) and may be removed at-will by action of the Trustees at any time, with or without cause.

### **SECTION 4: REGISTERING A SHORT-TERM RENTAL**

- 4.1. Every short-term rental shall be registered by its owner with the STRO on or before the later of (i) 90 days after the effective date of this Ordinance; or (ii) 60 days before the first day the short-term rental is occupied by an occupant. Thereafter, the owner shall register the short-term

rental annually, no later than April 1 in every calendar year in which the property is occupied as a short-term rental. Registrations shall be completed on a form approved by the Trustees.

4.2. The fee for registration shall be \$300 or such other amount as approved from time to time by the Trustees.

## **SECTION 5: RULES FOR SHORT-TERM RENTALS**

5.1. Fire Safety. A short-term rental is a “public building” as defined by 20 V.S.A. § 2730, subject to inspection and regulation by the Vermont Division of Fire Safety.

(a) The owner shall provide to the STRO proof of satisfactory compliance with inspections as may be required by the Vermont Division of Fire Safety prior to the first occupancy by the occupant.

(b) Additionally, each owner shall provide to the STRO a copy of the Vermont Division of Fire Safety, Short Term Rental Safety, Health, and Financial Obligations Form which has been completed by the owner and posted at the rental location.

5.2. Trash and Waste.

(a) An owner shall provide for disposal of trash, food waste, and recyclable material utilizing bear proof receptacles, and shall provide one or more adequate metal containers for disposal of ash and coals if there is a fireplace, fire pit, wood burning stove, wood or charcoal grill, or other source of ash or coals at the short-term rental.

(b) An occupant shall dispose of all trash, food waste, recycling materials, ash, and coals in receptacles provided for such purposes in accordance with this subsection, and in a reasonably safe and secure manner.

5.3. Maximum Occupancy.

(a) An owner shall not advertise or permit occupancy in a short-term rental by more than (a) two persons per bedroom plus (b) an additional two persons (the “occupancy limit”).

(b) Each occupant who remains overnight in a short-term rental in excess of the occupancy limit imposed by this subsection shall be in violation of this Ordinance and shall be subject to separate and individual liability.

5.4. Caretakers. An owner shall provide for a caretaker who is available (a) 24 hours per day (or two or more caretakers who together provide 24 hour per day coverage) during the occupancy period of each short-term rental, and (b) located within a 30 minute drive of the short-term rental. An owner shall provide all occupants and the STRO with contact information for the caretaker. An owner shall provide updated caretaker’s contact information to the STRO upon any change in such information, prior to any subsequent occupancy of the short-term rental.

5.5. Inspection. A short-term rental shall be made available by the owner for inspection by the STRO within one week of a request by the STRO.

5.6. Required Information to Occupants. An owner shall prominently display at least one poster containing the following information at the short-term rental:

(a) The caretaker’s contact information and, if more than one caretaker is used, a schedule showing the dates and hours at which each caretaker may be contacted.

- (b) Phone numbers and directions to at least two of the nearest hospitals to the property.
- (c) Instructions on the location and proper use of bear-proof trash receptacles, use of containers for ash and coals, and reasonable instructions for parking consistent with any applicable law. The instructions required by this paragraph shall include a notice in substantially the following form:

***Be advised that any person who violates Vermont State Law against unnecessary and offensive noise between sunset and sunrise MAY BE FINED under 13 V.S.A. § 1022. Any occupant of this short-term rental property MAY BE LIABLE FOR A CIVIL PENALTY for violation of applicable provisions of the Short-Term Rental Ordinance and/or the Noise Ordinance of the Village of Manchester, including, without limitation, restrictions on the placement of trash, food waste, recyclable materials ash and coal, and restrictions on maximum occupancy limits. The Ordinance is available at [www.villageofmanchester.com](http://www.villageofmanchester.com).***

5.7. Violation of Ordinance. The STRO may revoke or deny the registration of a short-term rental if, within the preceding twelve-month period, three or more violations of any Village of Manchester Ordinance. For purposes of this subsection, a violation shall be deemed to have occurred if a person is charged with a violation of such ordinance and (i) the person waives a hearing on the charge or otherwise responds in a manner not contesting the charge; or (ii) the Vermont Judicial Bureau, or another court or tribunal having jurisdiction, enters a judgment or decision against the person on such charge and such judgment or decision becomes final.

A short-term rental owner may contest a determination by the STRO to revoke or deny registration of the short-term rental under this subsection at any time by applying to the Zoning Administrator for the Village of Manchester to grant or reinstate registration of the short-term rental. Upon receipt of such an application, the Zoning Administrator shall review the determinations of the STRO de novo and shall otherwise apply the provisions of this Ordinance to the application. The decision of the Zoning Administrator shall be appealable in accordance with Title 24, Chapter 117, Subchapter 11 of the Vermont Statutes.

## **SECTION 6: PENALTIES; ENFORCEMENT**

6.1. Civil Penalty. This is a civil ordinance. Pursuant to 24 V.S.A. § 1974a, a civil penalty of up to \$800 may be imposed for a violation of this ordinance. Each day the violation continues shall constitute a separate violation.

### **6.2. Multiple Owners or Occupants.**

(a) In the event that a short-term rental has more than one owner, each owner shall be subject to individual and separate liability and enforcement action for any violation of a requirement or restriction imposed by this Ordinance on an owner or owners, in an amount up to the full penalty authorized by Section 6.1 of this Ordinance.

(b) In the event of a violation of a requirement or restriction imposed by this Ordinance on an occupant or occupants, each occupant of the short-term rental who (i) is present at the short-term rental at a time that the violation exists or occurs, or (ii) knows or should reasonably know that a violation exists or has occurred and fails to take reasonable action to remedy the

violation, shall be subject to individual and separate liability and enforcement action for the violation in an amount up to the full penalty authorized by Section 6.1 of this Ordinance.

(c) The individual and separate liability imposed by paragraphs (a) and (b) of this subsection 6.2 shall not be affected by whether liability or enforcement action is imposed, prosecuted, or proven against one or more other owners or occupants for the same violation.

6.3. Complaints. The STRO is designated and authorized as a “municipal official” to sign a complaint for violation of this Ordinance in accordance with 24 V.S.A. § 1977.

6.4. Order to Cease Violation. In addition to any other remedy provided in this Ordinance or available at law or in equity, the Village may apply to the Judicial Bureau under 24 V.S.A § 1974a(c) for an order that a violation of this Ordinance cease.

#### **SECTION 7: CONSTRUCTION WITH OTHER LAW**

This Ordinance shall not be construed as waiving the Village’s rights of enforcement with regard to any State statute or any bylaw, regulation, rule, ordinance or other provision of law. This Ordinance is in addition to and not a substitution for, and shall not operate to the exclusion of, any such other law.

This action is taken by the Trustees of the Village of Manchester and shall be printed in full in the minutes of the Trustees, posted in 3 (3) conspicuous places within the Village of Manchester and a summary published in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and affect sixty (60) days after the date of adoption to the right of petition provided by law.

_____ Tom Deck President	_____ Date
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_____ Trustee	_____ Date
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_____ Trustee	_____ Date
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_____ Trustee	_____ Date
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_____ Trustee	_____ Date
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Trustee Signatures for this document are on file at the Village Office and approval is part of the official record of the Regular Meeting held on December 4, 2023.

# **ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM-RENTALS**

VILLAGE OF WOODSTOCK, VERMONT  
31 The Green  
Woodstock, VT 05091

## **Sec. 1. AUTHORITY**

Under the authority granted in 24 V.S.A. § 2291(29) and §§1971 et seq., Trustees for the Village of Woodstock (“Trustees”) hereby adopt the following civil ordinance requiring the annual registration and regulation of all short-term rentals advertising or operating within the Village of Woodstock, Vermont.

## **Sec. 2. PURPOSE**

(A) The purpose of this ordinance is to enact simple, appropriate, and enforceable mechanisms that:

(1) Promote and protect the public health, safety, welfare, and convenience of Woodstock’s residents and visitors;

(2) Preserve Woodstock’s sense of place;

(3) Allow a limited number of short-term rentals to contribute to the local tourism economy in a way that does not adversely impact the availability of long-term rental housing;

(4) Balance the needs and rights of property owners and neighbors; and

(5) Incentivizes the conversion of short-term housing to long-term housing.

## **Sec. 3. SHORT TITLE**

This ordinance shall be known and may be cited as the “ Village of Woodstock Short-Term-Rental Ordinance.”



**Sec. 4. DEFINITIONS**

As used in this ordinance:

(A) “Accessory dwelling unit” means a building that is clearly subordinate to a residential building and has facilities for independent living, including sleeping, food preparation, and sanitation.

(B) “Advertising” means any method used to promote the existence or availability of a short-term rental. Advertising includes but is not limited to the use of websites, short-term rental platforms, search engines, emails, signs, displays, radio and television broadcasts, newspapers, periodicals, direct mail, other printed forms, and any electronic media.

(C) “Bed and breakfast” means a building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) sleeping spaces within the building. Bed and breakfasts must:

(1) Be licensed by the Vermont Department of Health to operate a food and/or lodging facility;

(2) Provide breakfast for guests in a common dining area;

(3) Not provide individualized cooking facilities for guests; and

(4) Have a caretaker who resides on-site.

(D) “Building” means a structure whose use or occupancy requires the construction or modification of a potable water supply or wastewater system.

(E) “Department” means the Woodstock Planning & Zoning Department.

(F) “Dwelling unit” means a building or the part of a building that is used as a home, residence, or sleeping space by one or more persons and has facilities for independent living, including sleeping, food preparation, and sanitation. This definition does not include hotels, inns,

1        motels, or bed and breakfasts.

2        (G) “Existing permit holders” means any short-term rental operator who applied for and received  
3        a zoning permit prior to September 1, 2023, as determined by the Short-term Rental Officer.

4        (H) “Existing registration holders” means any short-term rental operator who has an active and in  
5        good standing Short-term Rental Registration at the time of renewal for the upcoming short-  
6        term rental year.

7        (I) “Hotels,” “Inns,” and “Motels” means any business establishments that offer furnished  
8        lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and  
9        individually rentable units.

10       (J) “Initial short-term rental year” means the initial period under this ordinance which runs from  
11       12 January 1, 2025, to December 31, 2025.”

12       (K) “Issuing Municipal Official” means the Short-term Rental Officer, Municipal Manager,  
13       Village of Woodstock Police Officers, or the Town of Woodstock Fire Chief.

14       (L) “Maximum occupancy” means the maximum number of short-term rental guests allowed per  
15       unit as determined by the certificate of occupancy, issued by the State of Vermont Fire  
16       Marshal.

17       (M) “Natural person” means a living human being as distinguished from a person created by  
18       operation of law.

19       (N) “Multi-household parcel” means a parcel that has five or more distinct and individually  
20       rentable dwelling units on the same parcel and no unit is an accessory dwelling unit.

21       (O) “Non-owner-occupied” means any property that is not considered a Vermont “homestead,”  
22       as determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

23       (P) “Owner” means the person who is the owner of record of real property as documented by

1 deed or other document evidencing ownership recorded in the Woodstock Land Records.

2 (Q) “Owner-occupied” means any parcel that meets the definition of a Vermont “homestead” as  
3 determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

4 (R) “Person” means a natural person, partnership, association, company, corporation, limited  
5 liability company, organization, or a member, manager, agent, owner, director, officer, or  
6 employee thereof.

7 (S) “Preexisting multiple unit operator” means any existing permit holder who is in good  
8 standing and has continuously owned and operated more than one short-term rental prior to  
9 September 1, 2023.

10 *For guidance on how to qualify, please contact the Planning & Zoning Department.*

11 (T) “Short-term rental” or “STR” means a furnished house, condominium, other dwelling unit, or  
12 sleeping space within a dwelling unit that is rented to the transient, traveling, or vacationing  
13 public for a period of fewer than 30 consecutive days and for more than 14 days per calendar  
14 year.

15 *The short-term rental of a dwelling unit in a building qualifies the building as a “public building” subject to*  
16 *the jurisdiction of the State of Vermont Division of Fire Safety, pursuant to 30 V.S.A. §2730(a)(1)(D).*

17 (U) “Short-term rental guest” means any person who rents, licenses, occupies or has the right to  
18 occupy a dwelling unit, in whole or in part, for less than 30 consecutive days, such definition  
19 is to be interpreted broadly to prohibit subleases, occupancies or assignments designed to  
20 circumvent the purposes of this Ordinance.

21 (V) “Short-term rental operator” means the person designated to manage the short-term rental  
22 property and communications.

23 *This person could be the property owner, short-term rental registrant, employee of a management company, or*  
24 *independent contractor.*

1 (W) “Short-term rental registrant” means a natural person who is authorized by law to receive  
2 service of process and can attest that the property owner does not operate more than one (1)  
3 short-term rental in the Village of Woodstock under the pains and penalties of perjury.

4 (X) “Short-term rental year” means a calendar year (January 1 to December 31) in which a  
5 registered short-term rental is permitted to operate in accordance with this Ordinance.

6 *For example, the 2025 Short-term rental year is January 1, 2025, to December 31, 2025. The 2026 Short-term*  
7 *rental year is January 1, 2026, to December 31, 2026.*

8 (Y) “Sleeping space” means a space that is designed or designated to sleep one person.

9 *For example, a single or twin bed equals one sleeping space, and a double bed equals two sleeping spaces.*

10 **Sec. 5. ADMINISTRATION.**

11 (A) The Short-term Rental Officer is the administrator of the Short-Term Rental Ordinance in the  
12 Village of Woodstock.

13 (B) Appointment. The Trustees shall appoint a Short-term Rental Officer. Unless and until the  
14 Trustees appoint a Short-term Rental Officer, the Village Administrative Officer serves as  
15 the Short-term Rental Officer.

16 (C) Removal. The Short-term Rental Officer may be removed for cause at any time by action of  
17 The Trustees.

18 (D) In the administration of and in accordance with this Ordinance, the Short-term Rental Officer  
19 is expressly authorized to:

20 (1) Issue, revoke, or suspend Short-term Rental Registrations;

21 (2) Establish rules and forms; and

22 (3) Conduct or delegate inspection and enforcement authority to Department staff or other

23 Municipal Issuing Officials.

**Section 6. SHORT-TERM RENTAL ANNUAL REGISTRATION.**

(A) Short-Term Rental Registry. There is hereby established a short-term rental registry.

Effective January 1, 2025, the advertisement or operation of a short-term rental requires a Short-Term Rental Registration. No person may advertise or operate a short-term rental in the Village of Woodstock without a Short-term Rental Registration, issued by the Short-term Rental Officer.

(1) A Short-Term Rental Registration:

(a) Is valid for one short-term rental year and must be renewed annually in accordance with subsection (6)(D) of this Ordinance; and

(b) Attaches to an individual owner and cannot be assigned upon the transfer of the property.

(2) Only one (1) Short-Term Rental Registration is allowed per short-term rental registrant unless the registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023.

(3) Only one (1) Short-Term Rental Registration is allowed per property unless:

(a) The registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023; or

b) The parcel has more than five (5) distinct and individually rentable dwelling units. No more than 15% of the total number of units on any multi-household parcel may be registered as short-term rentals.

(4) The Short-term Rental Officer is only authorized to issue:

(a) Fifty-five (55) Owner-occupied Short-Term Rental Registrations per short-term rental year;

(b) Fifty-five (55) Non-owner-occupied Short-Term Rental Registrations per short-term rental year.

(5) The Short-term Rental Officer is authorized to issue Short-Term Rental Registrations that do not count toward the limitations established by Section (6)(A)(4) if the short-term rental registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023.

(B) Application.

A Short-term Rental Registration application is deemed complete once the Short-term Rental Officer receives the following:

(1) A completed Short-term Rental Registration application form, signed by all persons and entities that have an ownership interest in the property. This form must include the name, address, telephone number, mailing address, and email address of the person or company designated as the short-term rental operator;

(2) The accurate Short-term Rental Registration fee according to the duly adopted Short-term Rental Fee Schedule;

(3) Building floor plan, specifying the location of all proposed sleeping spaces and fire exits, including egress windows;

(4) Current photographs of short-term rental unit that matches or will match any advertisement of the property as a short-term rental;

(5) A site plan showing the proposed guest parking areas, specifying the number of available on-site parking spaces;

(6) Self-certification of compliance affidavit, signed by the short-term rental registrant, attesting that the property owner does not own or operate more than one (1) short-term

rental in the Village of Woodstock, Vermont, under the pains and penalties of perjury;

(7) A valid change of use permit and certificate of occupancy, issued by the State of

Vermont Fire Marshal;

*For existing permit holders, a change of use permit and certificate of occupancy is considered valid if issued after May 1, 2023.*

(8) Proof of registration of a Vermont Meals and Rooms Tax account;

*If the operator uses an internet platform which has an agreement with the Vermont Department of Taxes to collect and remit tax on behalf of its operators (i.e. Airbnb), then the short-term rental registrant must provide the proof of registration as provided by the platform.*

(9) Proof of short-term rental insurance or homeowners' insurance with short-term rental endorsement; and

(10) A statement of knowledge and compliance, signed by the short-term rental registrant, attesting that the owner, short-term rental registrant, and short-term rental operator agrees to manage the short-term rental in compliance with this Ordinance and acknowledge that non-compliance may result in civil penalties, revocation of an existing Short-term Rental Registration, or the disallowance to apply for a Short-term Rental Registration pursuant to Section 10 of this Ordinance.

(C) Procedure Upon Filing a Complete Application.

(1) Within sixty (60) days of receiving a completed Short-term Rental Registration application, the Short-term Rental Officer must provide written notification of decision to the applicant of record.

(2) In reviewing the application for compliance with this Ordinance, the Short-term Rental Officer may:

(a) Inspect the property and short-term rental unit, after obtaining the express consent of

the owner, short-term rental registrant, or short-term rental operator;

(b) Attach reasonable conditions as deemed necessary to fulfill the intent of this

Ordinance;

(c) Deny a Short-term Rental Registration application for any of the following reasons:

(1) The application is deemed incomplete because information required by subsection

(6)(B) of this Ordinance was not included with the application;

(2) The applicant failed to pay the full permit fee, in an acceptable form of payment,

within 15 days of the request for payment as required by the duly adopted Short-

term Rental Fee Schedule;

(3) Within the previous twelve (12) months, the Short-term Rental Officer has revoked

a Short-term Rental Registration from any of the owners associated with the

application for cause; or

(4) The owner, short-term rental registrant, or short-term rental operator denies the

Short-term Rental Officer, the Fire Marshal, or their designee access to the

property for the purposes of an inspection.

(D) Short-Term Rental Registration Application Windows.

(1) Initial Short-term Rental Year Application Windows.

(a) Application Window. The application window opens on November 1, 2024, and

closes on June 30, 2025, or until the authorized number of registrations has been

(2) Ongoing and Renewal of Short-term Rental Application Windows. Following the initial

short-term rental year, the application windows will be as follows:

(a) Application Window One (1). This application window is for all “existing registration

holders” that are in good standing and applying to renew their Short-term Rental



Registration. After the initial short-term rental year, this application window opens annually on August 1 and closes on August 31.

(b) Application Window Two (2). This application window opens annually on November 1 and closes on June 30, or until the authorized number of registrations has been issued. This application window includes any short-term rental operator that does not qualify as an “existing registration holder” prior to June 30 of the previous short-term rental year.

**Sec. 7. OPERATING STANDARDS AND RULES.**

The operation or advertisement of a short-term rental is only allowed if it complies with the following operating standards and rules:

(A) Maximum Occupancy. The advertised or actual operating occupancy must not exceed the maximum occupancy, as determined by the State of Vermont Fire Marshal;

(B) Tax Remittance. The owner, short-term rental registrant, or their registered platform must collect and remit all applicable state and municipal taxes, including, but not limited to the State of Vermont 9% Meals and Rooms Tax and the 1% local options tax on every short-term rental reservation;

(C) Fire and Life Safety. Every registered short-term rental unit must:

(1) Display a valid certificate of occupancy, issued by the State of Vermont Fire Marshal, in a conspicuous place inside the dwelling unit; and

(2) Complete a fire & life safety inspection at least every five (5) years.

*Any change of ownership, occupancy, or construction requires a new fire & life safety inspection from the Vermont Fire Marshal.*

(D) Parking. The Property must provide at least one (1) on-site parking space for every four (4) permitted short-term rental guests, as determined by the maximum occupancy.

1        *For example, if the maximum occupancy for a short-term rental unit is eight (8), the Property must be able to*  
2        *provide at least two (2) 9' X 18' on-site parking spaces.*

3        (E) All registered short-term rentals must designate a short-term rental operator. Short-term  
4        rental operators must be able to respond to incidents and provide interior and exterior access  
5        to the short-term rental within thirty (30) minutes.

6        (F) Good Neighbor Policy. Display a completed copy of the “Good Neighbor Policy,” signed by  
7        the short-term rental registrant.

8        **Sec. 8. PROHIBITED ACTIVITIES.**

9        The following activities are prohibited under this Ordinance:

10        (A) The advertisement or operation of a short-term rental without a valid Village-issued Short-  
11        term Rental Registration Number included in the advertisement;

12        (B) The sublease, sublicense or assignments of any or all portions of the short-term rental by the  
13        short-term rental guests to another person during the rental period;

14        (C) Use of the short-term rental where the number of vehicles parked off site exceeds or is  
15        reasonably anticipated to exceed the maximum allowable number of short-term guests; and

16        (D) The preparation or service of food to any short-term rental guests by the short-term rental  
17        operator that would require a license to operate as a food service establishment, according to  
18        the Vermont Department of Health.

19        **Sec. 9. FEES.**

20        The Selectboard and Trustees may, from time to time, establish and adopt fees related to the  
21        administration of this Ordinance, including STR registration and renewal fees, and may  
22        incorporate all such fees into a duly adopted fee schedule, which may be amended at the sole  
23        discretion of the Selectboard and Trustees.

**Sec. 10. VIOLATION AND ENFORCEMENT.**

Any person who violates any provision of this Ordinance is subject to a civil penalty of not more than \$800 per day for each day that such violation continues. Each day the violation continues is a separate offense.

(A) Issuing Municipal Officials. The Short-term Rental Officer, Municipal Manager, Village of Woodstock Police Officers, and the Town of Woodstock Fire Chief are designated and authorized to act as Issuing Municipal Officials to issue and pursue civil penalties before the Vermont Judicial Bureau, or other court having jurisdiction over a municipal complaint.

(B) Civil Penalties. An Issuing Municipal Official is authorized to issue citations to recover civil penalties up to the following amounts for each violation:

(1) The advertisement or operation of a short-term rental without a valid Short-term Rental Registration number – \$800 per offense.

(2) All other violations:

(a) First offense – \$500

(b) Second offense – \$500, plus the Short-term Rental Officer must provide a written warning that the existing registration and the future eligibility to apply or operate a short-term rental under this Ordinance may be revoked.

(c) Third offense – \$800, plus the Short-term Rental Officer may revoke any existing Short-term Rental Registration and institute up to a twelve (12) month ban on the eligibility to apply for a Short-term Rental Registration under this Ordinance.

(d) Fourth and subsequent offenses – \$800, plus the Short-term Rental Officer may revoke any existing Short-term Rental Registration and institute up to a twenty-

four (24) month ban on the eligibility to apply for a Short-term Rental  
Registration under this Ordinance.

**Sec. 11. SEVERABILITY.**

If any provision of this Ordinance is deemed by a court of competent jurisdiction to be  
unconstitutional, invalid, or unenforceable, that provision shall be severed from the Ordinance  
and the remaining provisions that can be given effect without the severed provision shall  
continue in effect.

**Sec. 12. EFFECTIVE DATE.**

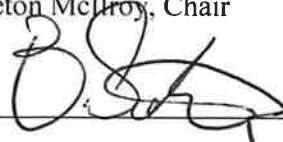
Unless a petition is filed in accordance with 24 V.S.A. §1973, this Ordinance shall become  
effective 60 days after the date of its adoption, or at such time following the expiration of 60  
days from the date of its adoption as is determined by the legislative body.

**ADOPTED** at Woodstock, Vermont, this 8<sup>th</sup> day of October 2024 by the Woodstock Village

Board of Trustees:

**Trustee members who voted in the  
affirmative were:**

Seton McIlroy, Chair



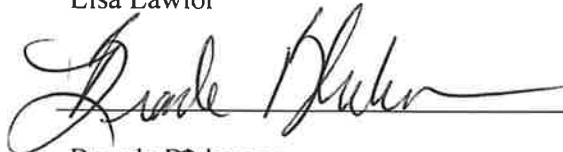
Jeffrey Kahn, Vice Chair



Frank Horneck



Lisa Lawlor



Brenda Blakeman



# **ORDINANCE TO REGULATE THE OPERATION OF SHORT-TERM-RENTALS**

VILLAGE OF WOODSTOCK, VERMONT  
31 The Green  
Woodstock, VT 05091

## **Sec. 1. AUTHORITY**

Under the authority granted in 24 V.S.A. § 2291(29) and §§1971 et seq., Trustees for the Village of Woodstock (“Trustees”) hereby adopt the following civil ordinance requiring the annual registration and regulation of all short-term rentals advertising or operating within the Village of Woodstock, Vermont.

## **Sec. 2. PURPOSE**

(A) The purpose of this ordinance is to enact simple, appropriate, and enforceable mechanisms that:

(1) Promote and protect the public health, safety, welfare, and convenience of Woodstock’s residents and visitors;

(2) Preserve Woodstock’s sense of place;

(3) Allow a limited number of short-term rentals to contribute to the local tourism economy in a way that does not adversely impact the availability of long-term rental housing;

(4) Balance the needs and rights of property owners and neighbors; and

(5) Incentivizes the conversion of short-term housing to long-term housing.

## **Sec. 3. SHORT TITLE**

This ordinance shall be known and may be cited as the “ Village of Woodstock Short-Term-Rental Ordinance.”

**Sec. 4. DEFINITIONS**

As used in this ordinance:

(A) “Accessory dwelling unit” means a building that is clearly subordinate to a residential building and has facilities for independent living, including sleeping, food preparation, and sanitation.

(B) “Advertising” means any method used to promote the existence or availability of a short-term rental. Advertising includes but is not limited to the use of websites, short-term rental platforms, search engines, emails, signs, displays, radio and television broadcasts, newspapers, periodicals, direct mail, other printed forms, and any electronic media.

(C) “Bed and breakfast” means a building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) sleeping spaces within the building. Bed and breakfasts must:

(1) Be licensed by the Vermont Department of Health to operate a food and/or lodging facility;

(2) Provide breakfast for guests in a common dining area;

(3) Not provide individualized cooking facilities for guests; and

(4) Have a caretaker who resides on-site.

(D) “Building” means a structure whose use or occupancy requires the construction or modification of a potable water supply or wastewater system.

(E) “Department” means the Woodstock Planning & Zoning Department.

(F) “Dwelling unit” means a building or the part of a building that is used as a home, residence, or sleeping space by one or more persons and has facilities for independent living, including sleeping, food preparation, and sanitation. This definition does not include hotels, inns,

1 motels, or bed and breakfasts.

2 (G) “Existing permit holders” means any short-term rental operator who applied for and received  
3 a zoning permit prior to September 1, 2023, as determined by the Short-term Rental Officer.

4 (H) “Existing registration holders” means any short-term rental operator who has an active and in  
5 good standing Short-term Rental Registration at the time of renewal for the upcoming short-  
6 term rental year.

7 (I) “Hotels,” “Inns,” and “Motels” means any business establishments that offer furnished  
8 lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and  
9 individually rentable units.

10 (J) “Initial short-term rental year” means the initial period under this ordinance which runs from  
11 12 January 1, 2025, to December 31, 2025.”

12 (K) “Issuing Municipal Official” means the Short-term Rental Officer, Municipal Manager,  
13 Village of Woodstock Police Officers, or the Town of Woodstock Fire Chief.

14 (L) “Maximum occupancy” means the maximum number of short-term rental guests allowed per  
15 unit as determined by the certificate of occupancy, issued by the State of Vermont Fire  
16 Marshal.

17 (M) “Natural person” means a living human being as distinguished from a person created by  
18 operation of law.

19 (N) “Multi-household parcel” means a parcel that has five or more distinct and individually  
20 rentable dwelling units on the same parcel and no unit is an accessory dwelling unit.

21 (O) “Non-owner-occupied” means any property that is not considered a Vermont “homestead,”  
22 as determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

23 (P) “Owner” means the person who is the owner of record of real property as documented by



1 deed or other document evidencing ownership recorded in the Woodstock Land Records.

2 (Q) “Owner-occupied” means any parcel that meets the definition of a Vermont “homestead” as  
3 determined by the Vermont Department of Taxes in accordance with 32 V.S.A. §5410.

4 (R) “Person” means a natural person, partnership, association, company, corporation, limited  
5 liability company, organization, or a member, manager, agent, owner, director, officer, or  
6 employee thereof.

7 (S) “Preexisting multiple unit operator” means any existing permit holder who is in good  
8 standing and has continuously owned and operated more than one short-term rental prior to  
9 September 1, 2023.

10 *For guidance on how to qualify, please contact the Planning & Zoning Department.*

11 (T) “Short-term rental” or “STR” means a furnished house, condominium, other dwelling unit, or  
12 sleeping space within a dwelling unit that is rented to the transient, traveling, or vacationing  
13 public for a period of fewer than 30 consecutive days and for more than 14 days per calendar  
14 year.

15 *The short-term rental of a dwelling unit in a building qualifies the building as a “public building” subject to*  
16 *the jurisdiction of the State of Vermont Division of Fire Safety, pursuant to 30 V.S.A. §2730(a)(1)(D).*

17 (U) “Short-term rental guest” means any person who rents, licenses, occupies or has the right to  
18 occupy a dwelling unit, in whole or in part, for less than 30 consecutive days, such definition  
19 is to be interpreted broadly to prohibit subleases, occupancies or assignments designed to  
20 circumvent the purposes of this Ordinance.

21 (V) “Short-term rental operator” means the person designated to manage the short-term rental  
22 property and communications.

23 *This person could be the property owner, short-term rental registrant, employee of a management company, or*  
24 *independent contractor.*

(W) “Short-term rental registrant” means a natural person who is authorized by law to receive service of process and can attest that the property owner does not operate more than one (1) short-term rental in the Village of Woodstock under the pains and penalties of perjury.

(X) “Short-term rental year” means a calendar year (January 1 to December 31) in which a registered short-term rental is permitted to operate in accordance with this Ordinance.

*For example, the 2025 Short-term rental year is January 1, 2025, to December 31, 2025. The 2026 Short-term rental year is January 1, 2026, to December 31, 2026.*

(Y) “Sleeping space” means a space that is designed or designated to sleep one person.

*For example, a single or twin bed equals one sleeping space, and a double bed equals two sleeping spaces.*

#### **Sec. 5. ADMINISTRATION.**

(A) The Short-term Rental Officer is the administrator of the Short-Term Rental Ordinance in the Village of Woodstock.

(B) Appointment. The Trustees shall appoint a Short-term Rental Officer. Unless and until the Trustees appoint a Short-term Rental Officer, the Village Administrative Officer serves as the Short-term Rental Officer.

(C) Removal. The Short-term Rental Officer may be removed for cause at any time by action of The Trustees.

(D) In the administration of and in accordance with this Ordinance, the Short-term Rental Officer is expressly authorized to:

(1) Issue, revoke, or suspend Short-term Rental Registrations;

(2) Establish rules and forms; and

(3) Conduct or delegate inspection and enforcement authority to Department staff or other Municipal Issuing Officials.

**Section 6. SHORT-TERM RENTAL ANNUAL REGISTRATION.**

(A) Short-Term Rental Registry. There is hereby established a short-term rental registry.

Effective January 1, 2025, the advertisement or operation of a short-term rental requires a Short-Term Rental Registration. No person may advertise or operate a short-term rental in the Village of Woodstock without a Short-term Rental Registration, issued by the Short-term Rental Officer.

(1) A Short-Term Rental Registration:

(a) Is valid for one short-term rental year and must be renewed annually in accordance with subsection (6)(D) of this Ordinance; and

(b) Attaches to an individual owner and cannot be assigned upon the transfer of the property.

(2) Only one (1) Short-Term Rental Registration is allowed per short-term rental registrant unless the registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023.

(3) Only one (1) Short-Term Rental Registration is allowed per property unless:

(a) The registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023; or

b) The parcel has more than five (5) distinct and individually rentable dwelling units. No more than 15% of the total number of units on any multi-household parcel may be registered as short-term rentals.

(4) The Short-term Rental Officer is only authorized to issue:

(a) Fifty-five (55) Owner-occupied Short-Term Rental Registrations per short-term rental year;

(b) Fifty-five (55) Non-owner-occupied Short-Term Rental Registrations per short-term rental year.

(5) The Short-term Rental Officer is authorized to issue Short-Term Rental Registrations that do not count toward the limitations established by Section (6)(A)(4) if the short-term rental registrant qualified as a “preexisting multiple unit operator” prior to September 1, 2023.

(B) Application.

A Short-term Rental Registration application is deemed complete once the Short-term Rental Officer receives the following:

(1) A completed Short-term Rental Registration application form, signed by all persons and entities that have an ownership interest in the property. This form must include the name, address, telephone number, mailing address, and email address of the person or company designated as the short-term rental operator;

(2) The accurate Short-term Rental Registration fee according to the duly adopted Short-term Rental Fee Schedule;

(3) Building floor plan, specifying the location of all proposed sleeping spaces and fire exits, including egress windows;

(4) Current photographs of short-term rental unit that matches or will match any advertisement of the property as a short-term rental;

(5) A site plan showing the proposed guest parking areas, specifying the number of available on-site parking spaces;

(6) Self-certification of compliance affidavit, signed by the short-term rental registrant, attesting that the property owner does not own or operate more than one (1) short-term

rental in the Village of Woodstock, Vermont, under the pains and penalties of perjury;

(7) A valid change of use permit and certificate of occupancy, issued by the State of

Vermont Fire Marshal;

*For existing permit holders, a change of use permit and certificate of occupancy is considered valid if issued after May 1, 2023.*

(8) Proof of registration of a Vermont Meals and Rooms Tax account;

*If the operator uses an internet platform which has an agreement with the Vermont Department of Taxes to collect and remit tax on behalf of its operators (i.e. Airbnb), then the short-term rental registrant must provide the proof of registration as provided by the platform.*

(9) Proof of short-term rental insurance or homeowners' insurance with short-term rental endorsement; and

(10) A statement of knowledge and compliance, signed by the short-term rental registrant, attesting that the owner, short-term rental registrant, and short-term rental operator agrees to manage the short-term rental in compliance with this Ordinance and acknowledge that non-compliance may result in civil penalties, revocation of an existing Short-term Rental Registration, or the disallowance to apply for a Short-term Rental Registration pursuant to Section 10 of this Ordinance.

(C) Procedure Upon Filing a Complete Application.

(1) Within sixty (60) days of receiving a completed Short-term Rental Registration application, the Short-term Rental Officer must provide written notification of decision to the applicant of record.

(2) In reviewing the application for compliance with this Ordinance, the Short-term Rental Officer may:

(a) Inspect the property and short-term rental unit, after obtaining the express consent of

the owner, short-term rental registrant, or short-term rental operator;

(b) Attach reasonable conditions as deemed necessary to fulfill the intent of this

Ordinance;

(c) Deny a Short-term Rental Registration application for any of the following reasons:

(1) The application is deemed incomplete because information required by subsection

(6)(B) of this Ordinance was not included with the application;

(2) The applicant failed to pay the full permit fee, in an acceptable form of payment,

within 15 days of the request for payment as required by the duly adopted Short-

term Rental Fee Schedule;

(3) Within the previous twelve (12) months, the Short-term Rental Officer has revoked

a Short-term Rental Registration from any of the owners associated with the

application for cause; or

(4) The owner, short-term rental registrant, or short-term rental operator denies the

Short-term Rental Officer, the Fire Marshal, or their designee access to the

property for the purposes of an inspection.

(D) Short-Term Rental Registration Application Windows.

(1) Initial Short-term Rental Year Application Windows.

(a) Application Window. The application window opens on November 1, 2024, and

closes on June 30, 2025, or until the authorized number of registrations has been

(2) Ongoing and Renewal of Short-term Rental Application Windows. Following the initial

short-term rental year, the application windows will be as follows:

(a) Application Window One (1). This application window is for all “existing registration

holders” that are in good standing and applying to renew their Short-term Rental

Registration. After the initial short-term rental year, this application window opens annually on August 1 and closes on August 31.

(b) Application Window Two (2). This application window opens annually on November 1 and closes on June 30, or until the authorized number of registrations has been issued. This application window includes any short-term rental operator that does not qualify as an “existing registration holder” prior to June 30 of the previous short-term rental year.

**Sec. 7. OPERATING STANDARDS AND RULES.**

The operation or advertisement of a short-term rental is only allowed if it complies with the following operating standards and rules:

(A) Maximum Occupancy. The advertised or actual operating occupancy must not exceed the maximum occupancy, as determined by the State of Vermont Fire Marshal;

(B) Tax Remittance. The owner, short-term rental registrant, or their registered platform must collect and remit all applicable state and municipal taxes, including, but not limited to the State of Vermont 9% Meals and Rooms Tax and the 1% local options tax on every short-term rental reservation;

(C) Fire and Life Safety. Every registered short-term rental unit must:

(1) Display a valid certificate of occupancy, issued by the State of Vermont Fire Marshal, in a conspicuous place inside the dwelling unit; and

(2) Complete a fire & life safety inspection at least every five (5) years.

*Any change of ownership, occupancy, or construction requires a new fire & life safety inspection from the Vermont Fire Marshal.*

(D) Parking. The Property must provide at least one (1) on-site parking space for every four (4) permitted short-term rental guests, as determined by the maximum occupancy.

1        *For example, if the maximum occupancy for a short-term rental unit is eight (8), the Property must be able to*  
2        *provide at least two (2) 9' X 18' on-site parking spaces.*

3        (E) All registered short-term rentals must designate a short-term rental operator. Short-term  
4        rental operators must be able to respond to incidents and provide interior and exterior access  
5        to the short-term rental within thirty (30) minutes.

6        (F) Good Neighbor Policy. Display a completed copy of the “Good Neighbor Policy,” signed by  
7        the short-term rental registrant.

8        **Sec. 8. PROHIBITED ACTIVITIES.**

9        The following activities are prohibited under this Ordinance:

10       (A) The advertisement or operation of a short-term rental without a valid Village-issued Short-  
11       term Rental Registration Number included in the advertisement;

12       (B) The sublease, sublicense or assignments of any or all portions of the short-term rental by the  
13       short-term rental guests to another person during the rental period;

14       (C) Use of the short-term rental where the number of vehicles parked off site exceeds or is  
15       reasonably anticipated to exceed the maximum allowable number of short-term guests; and

16       (D) The preparation or service of food to any short-term rental guests by the short-term rental  
17       operator that would require a license to operate as a food service establishment, according to  
18       the Vermont Department of Health.

19       **Sec. 9. FEES.**

20       The Selectboard and Trustees may, from time to time, establish and adopt fees related to the  
21       administration of this Ordinance, including STR registration and renewal fees, and may  
22       incorporate all such fees into a duly adopted fee schedule, which may be amended at the sole  
23       discretion of the Selectboard and Trustees.



**Sec. 10. VIOLATION AND ENFORCEMENT.**

Any person who violates any provision of this Ordinance is subject to a civil penalty of not more than \$800 per day for each day that such violation continues. Each day the violation continues is a separate offense.

(A) Issuing Municipal Officials. The Short-term Rental Officer, Municipal Manager, Village of Woodstock Police Officers, and the Town of Woodstock Fire Chief are designated and authorized to act as Issuing Municipal Officials to issue and pursue civil penalties before the Vermont Judicial Bureau, or other court having jurisdiction over a municipal complaint.

(B) Civil Penalties. An Issuing Municipal Official is authorized to issue citations to recover civil penalties up to the following amounts for each violation:

(1) The advertisement or operation of a short-term rental without a valid Short-term Rental Registration number – \$800 per offense.

(2) All other violations:

(a) First offense – \$500

(b) Second offense – \$500, plus the Short-term Rental Officer must provide a written warning that the existing registration and the future eligibility to apply or operate a short-term rental under this Ordinance may be revoked.

(c) Third offense – \$800, plus the Short-term Rental Officer may revoke any existing Short-term Rental Registration and institute up to a twelve (12) month ban on the eligibility to apply for a Short-term Rental Registration under this Ordinance.

(d) Fourth and subsequent offenses – \$800, plus the Short-term Rental Officer may revoke any existing Short-term Rental Registration and institute up to a twenty-

four (24) month ban on the eligibility to apply for a Short-term Rental  
Registration under this Ordinance.

**Sec. 11. SEVERABILITY.**

If any provision of this Ordinance is deemed by a court of competent jurisdiction to be  
unconstitutional, invalid, or unenforceable, that provision shall be severed from the Ordinance  
and the remaining provisions that can be given effect without the severed provision shall  
continue in effect.

**Sec. 12. EFFECTIVE DATE.**

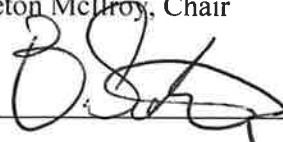
Unless a petition is filed in accordance with 24 V.S.A. §1973, this Ordinance shall become  
effective 60 days after the date of its adoption, or at such time following the expiration of 60  
days from the date of its adoption as is determined by the legislative body.

**ADOPTED** at Woodstock, Vermont, this 8<sup>th</sup> day of October 2024 by the Woodstock Village

Board of Trustees:

**Trustee members who voted in the  
affirmative were:**

Seton McIlroy, Chair



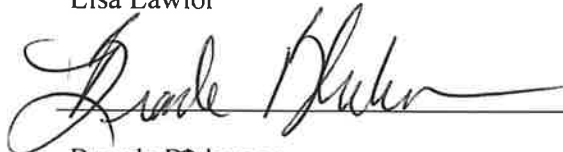
Jeffrey Kahn, Vice Chair



Frank Horneck



Lisa Lawlor



Brenda Blakeman



# **Town of Pawlet**

## **Short -Term Rental Ordinance**

### **Purpose:**

To promote the health, safety and welfare of the Town of Pawlet, its residents, and visitors.

To ensure the safety of occupants of Short-Term Rentals and the wellbeing of the community/neighborhood

To preserve the character of the neighborhood, guests shall not have an adverse effect on the character of the neighborhood and surrounding property

### **Section 1: Authority**

a. This ordinance is enacted pursuant to the authority granted to the Town under 20 V.S.A. 2736 & 24 V.S.A. Chapter 59.

### **Section 2: Definitions**

a. "Short-Term Rental" is defined, in accordance with 24 V.S.A. 1971 "Short-Term Rental" means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

### **Section 3: STR Requirements**

a. Short -Term Rental (STR) of a property in all Districts is permitted. STR does not run with the land. A change of ownership shall require a new STR registration.

b. The contact information required by 18 V.S.A. 4467 shall be displayed in plain sight within the STR.

c. The owner of the STR or the owner's designated manager must be geographically proximate and available and on call 24 hours a day, seven days a week to respond in the event of an incident.

d. The Vermont Short-Term Rental Safety, Health and Financial Obligations Form, as required by 18 V.S.A. 4468(b), shall be completed and displayed in plain sight within the STR.

e. The owner shall obtain the educational information packet regarding Short-Term Rentals provided by the Vermont Division of Fire Safety, as required by 18 V.S.A. 4468(a).

f. The owner of the STR is responsible for the collection and payment of applicable Vermont Taxes.

g. Provisions must be in place for timely trash removal after each rental.

#### **Section 4: Permit Application Requirements**

- a. Submission of Vermont Short Term Rental Safety, Health and Financial Obligations Form, as required by 18 V.S.A. 4468(b).
- b. The Owner of the STR is responsible for completing The Town of Pawlet Short Term Registration Form and payment of registration fee.
- c. Meals and Rooms Tax ID Number from the Vermont Department of Taxes as required by 32 V.S.A. 9282.
- d. Any owner of a STR who fails or refuses to complete a Short-Term Rental Registration form shall be in violation of this ordinance.

#### **Section 5: Enforcement**

- a. The Pawlet Zoning Administrator shall be responsible for identifying violations of this ordinance.
- b. Penalty – This is a civil ordinance, 24 V.S.A. 1974a, a penalty of up to \$200/day may be imposed for a violation of this ordinance. Each day the violation continues shall constitute a separate violation.

Effective date of this ordinance: April 16,2024

Town of Pawlet, VT

# **DRAFT SHORT TERM RENTAL ORDINANCE FOR TOWN OF WARREN VT**

**July 19, 2024 version**

## **§ 1. Authority**

## **§ 2. Purpose**

## **§ 3. Definitions**

## **§ 4 Regulations**

## **§ 5. Permit application requirement**

## **§ 6. Standards**

## **§ 7. Procedure upon filing application**

## **§ 8. Inspection**

## **§ 9 Recordkeeping Requirements**

## **§ 10. Compliance, hearings and penalties**

## **§11. Expiration**

## **§ 1. Authority.**

This Ordinance is adopted pursuant to the authority set forth in Chapters 59 and 61 of Title 24 of the Vermont Statutes Annotated, including specifically 24 VSA § 2291(29). This Ordinance is a civil ordinance under 24 V.S.A. § 1971(b).

## **§ 2. Purpose.**

Given the rise in popularity of online platforms like Airbnb and HomeAway/ VRBO, the Town of Warren (the “Town”) is examining the economic and social impacts of short-term rentals.

STRs provide property owners with the opportunity to earn income. STRs also benefit Warren’s and the whole Mad River Valley’s tourism economy and provide guests with a convenient, and sometimes more affordable, place to stay when traveling. However, along with the benefits of STRs, there may be associated negative impacts, such as reducing the number of dwelling units available for long-term occupancy and impacts on neighbors and the character of a neighborhood. By establishing a permitting process for short-term rental properties, the Town of Warren seeks to:

- (a) Gather Data: Collect information about STRs in Warren to inform future decisions; and
- (b) Ensure Safe and Responsible Operation by collecting emergency contact information, promoting good neighbor practices, and ensuring safety standards are met.

## **§ 3 Definitions.**

(1) “Short-Term Rental (STR)” means a furnished residence rented for fewer than 30 consecutive days and for more than 14 days per calendar year, excluding commercial lodging establishments (e.g., hotels, motels, inns and bed and breakfasts).

- (2) “Property Owner” means the individual(s) or entity/entities that hold legal title to the STR property.
- (3) “Local Host” means an individual designated by the property owner who can respond on-site to the STR property within one hour (by automobile) in case of emergencies.
- (4) “Zoning Administrator” means the Town official responsible for administering and enforcing this ordinance.

#### **§ 4 Regulations.**

Property owners must obtain a permit whenever a dwelling unit is to be used as a short-term rental.

- (a) A short-term rental permit shall be obtained prior to using the unit as a short-term rental.
- (b) The Zoning Administrator may inspect the short-term rental for compliance with Town and state codes. The short-term rental shall not operate unless it is in full compliance with Town and state codes.
- (c) A short-term rental permit shall be valid for one calendar year, shall expire on December 31 of the year it is in effect, and must be renewed upon expiration as long as the unit is to be continued to be used as a short-term rental.
- (d) The short-term rental permit is transferable to a new owner, so long as the new owner registers with the Town, updates the short-term rental permit application and agrees in writing to comply with the requirements of the short-term rental permit and these regulations within 30 days of sale.

#### **§ 5. Permit application requirement.**

An application for (or renewal of) a short-term rental permit shall be submitted to the Town Zoning Administrator. The application/renewal must be completed on the form provided by the Town. It must be accompanied by payment of a permit fee, as determined by the Town Select Board. If relevant circumstances on the property change or for any reason the certification is or becomes inaccurate, a new certification shall be submitted.

The application shall provide the following information:

- (a) List of all the property owners of the short-term rental including names, residential addresses, telephone numbers and email addresses. Each property owner must also provide the address of their principal residence if it is different from that of the short-term rental. (In the event the property is owned by an entity such a trust or LLC, the ultimate owners and/or beneficiaries of such entity shall provide the information required by this paragraph.)
- (b) Completion of a signed affidavit by the property owners certifying the following:
  - (1) The number of sleeping rooms within the short-term rental, as defined in this section.
  - (2) The number of parking spaces on the property that meet the standard set forth below.
  - (3) The septic capacity of the STR property.
  - (4) Compliance with the following standards:
    - A. The Short-Term Rental Safety, Health and Financial Obligations of the Vermont Departments of Health and Fire Safety [See the Vermont Division of Fire Safety at: [Safety Consideration sort term rentals.pdf](https://www.vermont.gov/files/vermont/Safety%20Consideration%20sort%20term%20rentals.pdf) ([vermont.gov](https://www.vermont.gov))

- B. All exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
  - C. Electrical systems shall be serviceable with no visual defects or unsafe conditions.
  - D. All solid fuel-burning appliances (i.e., a chimney-connected device that burns solid fuel designed for purposes of heating, cooking, illumination, decoration or ambiance, including but not limited to wood stoves and heaters, fireplace inserts, masonry chimneys or fireboxes and pellet stoves) must be inspected in accordance with the Town of Warren Solid Fuel Burning Appliance Ordinance (<https://www.warrenvt.org/wp-content/uploads/2018/03/Solid-Fuel-Burning-Ordinance.pdf>)
- (c) A property map showing the location of buildings, required parking and, if not served by a public sewer, the location of the septic system and leach field. An accurate, suitable plan need not be prepared by a professional.
  - (d) For owner-occupied short-term rentals, the owner must provide their name, address, telephone number and email address. For non-owner-occupied short-term rentals, the owner must designate a local (i.e., within 60 minutes by automobile) host and provide the name, address, telephone number and email address of the local host, who shall be responsible, and authorized, to act on the owner's behalf to promptly remedy any violation of these standards or the permit. The host may be the owner, or a local host or agent designated by the owner to serve as a contact person.
  - (e) A declaration of insurance coverage specific to the renting of short-term vacation rentals is required
  - (f) Payment of a fee which has been set by the Town Selectboard.

## **§ 6. Standards.**

All short-term rentals must meet the following standards:

- (a) The maximum occupancy for each short-term rental unit shall be the number of people calculated based on two persons per sleeping room (unless the room size is below 100 square feet) plus an additional two persons. In all cases, maximum occupancy must be within the septic capacity of the short-term rental unit.  
  
For this purpose, a "sleeping room" is defined as fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons, with an emergency escape or rescue opening.
- (b) The property must have sufficient off-street parking spaces to accommodate the maximum occupancy.
- (c) Tenants and guests shall park in the off-street parking spaces.
- (d) A house number visible from the street or road shall be maintained.
- (e) Provisions shall be made for weekly garbage removal during rental periods. Garbage containers shall be animal proof and always secured with tight-fitting covers to prevent leakage, spilling or odors.
- (f) Advertisements for the short-term rental must conform to what is allowed under these regulations and the short-term rental permit.



- (g) In the event of a federal, state or local disaster declaration, all owners and guests must comply with federal, state and/or local disaster orders.

## **§ 7. Procedure upon filing application.**

- A. Upon the filing with the Town Zoning Administrator of the permit application, permit fee, and all documents and information required by this ordinance, the Town Zoning Administrator shall have 45 days to review the application and then either issue the permit, with or without conditions, or notify the applicant in writing that the application has been denied along with the reason or reasons for denial.
- B. The Town Zoning Administrator may decline an application for any of the following reasons:
  - (1) If the application is incomplete, the documentation required by this ordinance was not included with the application or the application or the full permit fee, in payment form acceptable to the Town Treasurer, was not included with the application.
  - (2) If the Town of Warren issued a short-term rental permit to any of the owners needing to sign the short-term rental permit application and any of such owners had a short-term rental permit revoked within the previous year.
- C. Short-term rental permits issued pursuant to this section shall state the following:
  - (1) The names, addresses and phone numbers of every person or entity who has an ownership interest in the short-term rental property and the host who shall be available during the entire time the short-term rental property is being occupied.
  - (2) The maximum occupancy and vehicle limits for the short-term rental unit.
  - (3) Identification of the number of and location of parking spaces available.
  - (4) A statement that no outdoor fires are allowed, except as permitted by local and state law. Outdoor barbecues and supervised fires in fire pits are permitted.
  - (5) No tents will be allowed as overnight quarters.
  - (6) Any animals which are pets of guests shall not leave the subject parcel except when under control by leash.
  - (7) A statement that no noise beyond normal levels shall emanate between 10:00 p.m. and 9:00 a.m.
  - (8) A statement that the short-term rental permit may be revoked for violations.

## **§ 8. Inspection**

The Zoning Administrator may inspect any property before issuing a permit, or at any time thereafter. The Town reserves the right to validate via inspection or otherwise any information contained in the permit application.

## **§ 9. Recordkeeping Requirements**

- A. Owners and operators of short-term rentals are required to keep written (including electronic) records of advertising information and rental activity (i.e., number of

bookings, name of booking guest, number of people, length of stay, amount collected, amount of tax collected or remitted) for a minimum of three years.

- B. In the event of a dispute with the owner(s) of a short-term rental as to the need for a permit or as to compliance with this ordinance, the Zoning Administrator shall have the right to inspect the written records upon reasonable notice.

## **§ 10. Compliance, hearings and penalties.**

- A. Owners of short-term rental units must obey all applicable laws, ordinances and regulations of the Town of Warren, Washington County, Vermont, and the United States of America, and shall be subject to the enforcement and penalty proceedings contained in this ordinance.
- B. If the Town Zoning Administrator determines a violation of the permit or of this Ordinance or the Town's Land Use and Development Regulations, the Zoning Administrator may do any of the following depending on the circumstances:
- (1) Issue a Notice to Remedy;
  - (2) Impose a fine or suspension pursuant to the Schedule below;
  - (3) Initiate a hearing before the Selectboard; and/or
  - (4) Attach reasonable conditions to the existing short-term rental permit.

### **Fine Schedule**

	1 <sup>st</sup> violation	2 <sup>nd</sup> violation	3 <sup>rd</sup> violation	
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements	\$300	\$600	\$900	Upon the fourth or subsequent violation in any twenty- four-month period, the Town may suspend or revoke any permit. The suspension or revocation can be appealed
Fine for violating any other requirements of this short-term rental regulation	\$150	\$300	\$450	

#### **Notes:**

- a. Any person found to be in violation of this ordinance shall be ordered to remit all illegally obtained short-term rental revenue proceeds to the Town.
- b. Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the Town until the date of payment.
- c. The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the Town to address any violation or other public nuisance.

## **§11. Expiration**

This ordinance will expire in two years after its initial adoption to allow for a period of data gathering and analysis. Upon expiration of this ordinance, the Selectboard will revisit the issue of STRs and adopt a new ordinance to replace this one.

**Town Zoning Regulations**  
**Adopted: February 11, 2020**  
**Section 526; Short Term Rentals**

The Town recognizes the benefit of Short Term Rentals to homeowners, visitors and the community. However, it is important not to create a nuisance or change the residential character of the area. A permit is not required during foliage season (September 15 - October 21) when the owner or primary tenant is in residence throughout the rental period and provisions "C. - I." are met.

The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located. In addition, homeowners have the responsibility to comply with the Vermont Department of Taxes re: rooms and meals tax rules and regulations.

- A. Conditional Use Approval is required for rental periods of fewer than thirty (30) days.
- B. Short Term Rentals are allowed no more than ten (10) times in a calendar year with a two-night minimum stay, excluding foliage season. When the owner is in residence, five (5) additional rentals are allowed for up to a total of 15 rentals per calendar year.
- C. In Residential Five Acre and Forestry zones, Short Term Rentals are allowed no more than 15 times in a calendar year with a two-night minimum stay. When the owner is in residence, Short Term Rentals are unlimited.
- D. All Short Term Rental units shall be inspected and approved by the Fire Chief before the use is allowed.
- E. Only one Short Term Rental use is allowed per property.
- F. Occupancy shall be restricted to two persons per bedroom, with a six person maximum per household.
- G. All associated parking shall be on-site in designated spaces and comply with Section 521 Off-street Parking.
- H. Rubbish service shall be provided, and containers shall be maintained out-of-sight, not viewed from the street.
- I. Prohibitions:
  - 1. Weddings, parties, catered events, and similar events.
  - 2. Signs and other outside indications the dwelling is used as a short term rental.
  - 3. Outdoor activities between 9 PM and 7 AM.
- J. Notice to renters of house rules pertaining to parking, rubbish, noise, parties etc. shall be visibly displayed in the dwelling.
- K. Name, address and telephone number of a manager shall be filed with the application and kept up to date. The manager shall live within 30 minutes of the property and shall be able to respond 24 hours per day 7 days per week.
- L. A Section 526 report shall be filed by the permit holder with the Planning & Zoning Office by January 31 of each year. Failure to file the annual report and failure to meet the above standards shall require revocation of permit. After revocation of permit, a property owner shall not be able to reapply for one year. One may appeal a revocation notice to the TDRB via Section 817 Appeals from Decisions of Administrative Officer.