

SHORT TERM RENTALS

PURPOSE. This section is intended to set forth regulations through which certain dwelling units within the City of Medford may be utilized as short-term rental units. This regulation is designed to allow for the operation of such rentals for Medford residents, protect the safety of renters and residents, and ensure the primary use of such rentals remain residential, and ensure that the operation of such short-term rentals does not create a safety concern or detriment to the surrounding residential neighborhood.

DEFINITIONS. Short Term Rentals

APPLICABILITY. No residential unit shall be offered as short-term rental except in compliance with each of the provisions of this Section.

REQUIREMENTS FOR THE OPERATION OF SHORT-TERM RENTALS. A residential unit offered as a short-term rental shall comply with all standards and regulations promulgated by the Commissioner. The following additional requirements shall apply to all short-term rentals:

1. **Operators Primary Residence.** A residential unit offered as a short-term rental shall be the operators primary residence.
2. **One Party of Renters.** A residential unit offered as a short-term rental shall be rented to only one party of short-term renters at a time, not rented as separate bedrooms, beds, or spaces to separate parties.
3. **Number of Short-Term Renters.** A residential unit offered as a short-term rental shall be limited to six guests, or two guests per guest bedroom, whichever is fewer.
4. **One Listing per Booking Agent.** A residential unit offered as a short-term rental shall not have more than one listing per booking agent associated with it.

RENTAL AVAILABILITY

1. **Short Term Rental of a Shared Residential Unit.** An operator may offer bedrooms within their residential unit as a short-term rental 365 days per year. One bedroom in the unit shall be reserved for and occupied by, the operator during the entire term of the rental.
2. **Short Term Rental of an Unoccupied Residential Unit.** Short term rentals shall not exceed, in the aggregate, ninety (90) consecutive or nonconsecutive calendar days per year, when the operator is not occupying the residential unit during the entire term of the short-term rental.

RENTAL PERIOD AND USE. Renting for an hourly rate, or for rental duration of fewer than ten (10) consecutive hours shall not be permitted. Commercial meetings and uses are prohibited in short term rentals,

NO OUTSTANDING VIOLATIONS. The residential unit offered as a short-term rental shall not have any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, or stop work orders, unpaid taxes, water/sewer or tax liens any other judgements or penalties imposed by the City that remain unresolved, or other requirements, laws or regulations that prohibit the operator from offering the residential unit as a short-term rental.

1. If a violation or other order is issued, upon notice of said violation or order short term rental use shall be terminated until the violation has been cured or otherwise resolved.
2. If a property receives three or more violations within a six month period under this Section, or of any municipal ordinance, state law, or building code, any residential unit within the property shall be ineligible to be used as a short-term rental for a period of six months from the third or subsequent violations.

COMPLIANCE AND INTERACTION WITH. OTHER LAWS. Operators shall comply with all applicable federal state, and local laws and codes, including but not limited to the Fair Housing Act. G.L. c. 151B and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.

RETENTION OF RECORDS. The operator shall retain and make available to the Building Department, upon written request, records to demonstrate compliance with this Section, including but limited to: records to demonstrating the number of months that the operator has resided or will reside in residential unit, if applicable; records showing consent of the owner of the residential unit to the residential units use as a short term rental if applicable; and records demonstrating number of days per year that the residential unit is offered as a short-term rental. The operator shall retain such records for as long as he or she desires to use the residential unit as a short-term rental.

NOTIFICATIONS. The operator shall post and maintain a sign on the inside of the short-term rental on the entry level, visible to and reasonably likely to be readily accessed by individuals utilizing the short-term rental, with the following information:

1. Instructions for the disposal of waste per the City recycling and trash programs.
2. Information regarding the City's parking regulations, including but not limited to visitor parking passes, street sweeping, and snow emergencies.
3. The local noise ordinances of the City.
4. Contact information for the operator, or when the operator is not present, the contact information for a locally available contact designated respond to all emergencies and problems that may arise during the rental period.
5. On a sign on the inside of the residential unit, the operator shall provide information on the location of all fire extinguishers in the unit and if applicable, the location of all exits and manual fire box alarms located in the common area of the building.

COMMUNITY INFORMATION CARD. The operator shall furnish each guest with a community information card containing, at the minimum:

1. Emergency telephone numbers for the Medford Police Department and Medford Fire Department.
2. A description of the regulations relative to on-street parking and any associated fines, if any, for such violations.

BOOKING AGENT REPORT. All booking agents with any listings in the City shall provide to the City on a quarterly basis an electronic report, in a format to be determined by the City. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, the number of nights each unit was reported as occupied during the applicable reporting period, and the operator's name and full contact information.

REGISTRATION PROCESS. An operator who wishes to offer his or her residential unit as a short-term rental shall register with the Building Department, online or in a paper form prescribed by the Building Department, to be listed on a database maintained by the City that includes information on operators who are permitted to offer their residential units as a short-term rental.

1. **Permission of Owner.** An operator must certify at the time of registration that he or she has the following permissions to offer his or her residential unit as a short-term rental.
 - a. Operator is the owner of the residential unit offered as a short-term rental or is a tenant who uses the residential unit as his or her primary residence and has permission of the owner; and
 - b. That offering the residential unit as a short-term rental complies with applicable condominium documents, ordinances, leases, and any or all other applicable governing document.
2. **Fees.** Units shall be annually recorded in the Short-Term Rental Registry and pay an annual registration fee to the City of Medford in the amount of two hundred dollars. (\$200.00)
3. **Re-registration upon Unit Turnover.** A registration shall be tied to both the residential unit and the operator and will not automatically transfer upon the sale of the unit. New operators are responsible for ensuring that they re-register with the Building Department to obtain a new registration number if they wish to continue to list the residential unit on the Short-Term Rental Registry.

PENALTIES/ENFORCEMENT. No person or entity may offer a residential unit as a short-term rental in violation of this article. No booking agent may accept a fee for booking a residential unit which is in violation of this ordinance, provided that the City has first notified the booking agent of such violations of the residential unit. All violations of this Section may be penalized by

a noncriminal disposition as provided for in G.L. c. 40,s.21D. All violations of this Section are subject to penalty in accordance with Section ***of the Medford Code of Ordinances. Each day on which a violation exists shall be deemed a separate and distinct offense. The provisions of this Section may also be enforced, if applicable, by the Commissioner seeking an injunction from a court of competent jurisdiction prohibiting the offering of the short-term rental. Nothing herein shall be construed to preclude the City from seeking any additional penalties or taking any additional enforcement action as allowed by law.

1. The Commissioner may enter into agreements with booking agents or any other third parties for assistance in enforcing the provisions of this Section.
2. Violations may include any failure to abide by this Section including but not limited to, offering an ineligible unit, failure to furnish a copy of the booking agent listing or include required parking information in such listing, failure to furnish a community information card to guests or furnishing such card without the required minimum information, or failure to remit any required excise tax or surcharge as required by law. Unpaid taxes or surcharges shall also be liened against the property.

REGULATIONS. The Commissioner shall have the authority to promulgate regulations to carry out the provisions of this Section.