

# **TOWN OF SAVOY**

## **ZONING BYLAW AMENDMENT**

### **SHORT-TERM RENTALS OF RESIDENTIAL PROPERTIES**

#### **Section 1. Purpose and Intent**

Pursuant to the authority granted by M.G.L. c. 40A and the Home Rule Amendment to the Massachusetts Constitution, the Town of Savoy hereby establishes the following provisions regulating Short-Term Rentals.” The Town of Savoy establishes these bylaw provisions to balance private property rights with neighborhood stability and municipal interests related to Short-Term Rentals.

The purpose of this bylaw is to protect and promote the health, safety, and general welfare of Savoy residents and visitors; to ensure that the primary use of residential properties remains residential; and to ensure that Short-Term Rentals do not adversely affect the character, livability, or safety of surrounding neighborhoods, while allowing limited and well-regulated use of residential properties for short-term lodging.

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#### **Section 2. Definitions**

For the purposes of this bylaw, the following terms shall have the meanings indicated:

##### **Non-Owner-Occupied Dwelling**

A residential dwelling unit that does not meet the definition of an Owner-Occupied Dwelling.

##### **Operator**

Any Owner or any person authorized by the Owner to offer, advertise, manage, or operate a Short-Term Rental.

##### **Owner**

Each person or entity holding any portion of the fee simple interest in the property, as evidenced by record title.

##### **Owner-Occupied Dwelling**

A residential dwelling unit that serves as the primary residence of at least one Owner, who occupies the dwelling for no fewer than the majority of the calendar year.

##### **Short-Term Rental (STR)**

A residential property, or any portion thereof, including but not limited to a house, apartment, cottage, or condominium, or a furnished accommodation that is not a hotel, motel, lodging house, or bed and breakfast establishment, where all of the following conditions are met:

1. At least one room or dwelling unit is rented to an occupant;

2. All accommodations are reserved in advance;
3. An occupant maintains tenancy for thirty-one (31) or fewer consecutive calendar days; and
4. The number of rented rooms does not exceed the number of lawful bedrooms.

### **Problem Property**

Any dwelling unit located at an address:

- a. For which the Police Department has been called within the preceding twelve (12) months for any incident involving a documented violation of federal law, state law, or town bylaw by the Operator or occupants of a Short-Term Rental; or
  - b. For which the Town has received three (3) or more substantiated complaints within the preceding twelve (12) months related to Short-Term Rental operations.
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### **Section 3. Applicability**

No Short-Term Rental shall operate within the Town of Savoy unless it is registered with the Town and with the Massachusetts Department of Revenue pursuant to M.G.L. c. 64G and in compliance with this bylaw.

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### **Section 4. Permitting**

#### **4.1 Owner-Occupied Short-Term Rentals (By-Right)**

Short-Term Rentals located within an Owner-Occupied Dwelling shall be allowed by right, provided that the Short-Term Rental complies with all applicable provisions of this Bylaw, including but not limited to registration, inspection, operational, and safety requirements.

No Special Permit shall be required for an Owner-Occupied Short-Term Rental.

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#### **4.2 Non-Owner-Occupied Short-Term Rentals (Special Permit Required)**

Short-Term Rentals located within a Non-Owner-Occupied Dwelling shall require a Special Permit from the Zoning Board of Appeals (ZBA) prior to operation and shall comply with all applicable provisions of this Bylaw, including but not limited to registration, inspection, operational, and safety requirements.

In granting a Special Permit, the ZBA shall consider, at a minimum:

1. The character of the neighborhood and surrounding land uses, and whether the proposed Short-Term Rental would be detrimental to the residential character of the area;
2. Adequacy of parking, access, and site circulation;
3. Potential impacts on public safety, noise, and the quality of life of abutting properties;
4. The history of code compliance at the property, if any.

The ZBA may impose reasonable conditions, safeguards, and limitations on any Special Permit issued pursuant to this section.

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## **Section 5. Registration Requirements**

### **5.1 Registration Required**

All Short-Term Rentals shall be registered annually with the Town of Savoy. Registration shall be granted only upon submission of a complete application and compliance with this bylaw.

### **5.2 Application Requirements**

An application for Short-Term Rental registration shall be submitted on forms prescribed by the Town and shall include all materials identified in the Short-Term Rental Application Checklist, as adopted and updated from time to time by the Selectboard or its designee.

An application shall not be deemed complete until all required information and materials have been submitted. The Town may refuse to process incomplete applications.

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## **Section 6. Registration Term and Fees**

The registration period shall be for one (1) calendar year. Renewal applications shall be submitted annually by November 1.

Registration fees shall be established by the Selectboard.

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## **Section 7. Non-Transferability**

Short-Term Rental registrations shall be granted solely to the Operator and shall not be transferable or assigned. All registrations shall terminate upon sale or transfer of the property or upon a change in Operator.

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## **Section 8. Subletting Prohibited**

No Owner or Operator shall register or offer a dwelling unit subject to a long-term lease as a Short-Term Rental. Tenants are prohibited from offering rental units as Short-Term Rentals.

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## **Section 9. Operational Requirements**

All Short-Term Rentals shall comply with the following requirements:

1. Posting, in a conspicuous location within the dwelling, of:
  - Certificate of Registration;
  - Street address of the Short-Term Rental;
  - Operator and emergency contact information;
  - Recycling and waste disposal instructions;
  - Notice of leash requirements for dogs;
  - Quiet hours between 10:00 p.m. and 8:00 a.m.
2. No outstanding Building, Fire, Health, or bylaw violations, or enforcement actions;
3. No exterior signage advertising the Short-Term Rental;
4. Compliance with all applicable state and local building, fire, and health codes;
5. Adequate off-street overnight parking for all vehicles;
6. Prohibition of commercial events, including but not limited to parties, weddings, and meetings;  
and
7. Maintenance of guest records for a minimum of two (2) years, subject to inspection upon reasonable request by the Town.

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## **Section 10. Inspections and Enforcement**

Short-Term Rentals shall be subject to inspection by the Building, Health, and Fire Departments prior to initial registration and as required thereafter.

Failure to provide access for inspection shall result in suspension or denial of registration.

If a property meets the definition of a Problem Property or incurs three (3) or more violations of this bylaw or applicable codes within a twelve-month period, the Selectboard may suspend, revoke, or deny registration or a Special Permit, after notice and opportunity to be heard or the Zoning Board of Appeal may suspend, modify, revoke, or deny a Special Permit.

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### **Section 11. Penalties**

Violations of this bylaw may be enforced by the Building Inspector, Health Agent, Fire Chief, or other authorized enforcement official pursuant to M.G.L. c. 40, §21D, and shall be subject to the following civil penalties:

- First offense: \$100
- Second offense: \$200
- Third and subsequent offenses: \$300

Each day a violation continues shall constitute a separate offense.

The Zoning Board of Appeals may additionally suspend or revoke registration or a Special Permit for repeated or serious violations.

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### **Section 12. Regulations and Forms**

The Selectboard may adopt such forms, rules, regulations, and administrative procedures as are necessary to implement and administer the provisions of this bylaw.

The Zoning Board of Appeals shall serve as the Special Permit Granting Authority for Short-Term Rentals and shall administer the special permit provisions of this bylaw.

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### **Section 13. Severability**

If any provision of this bylaw is held invalid by a court of competent jurisdiction or administrative agency, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.